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NOTICE OF CANCELLED MEETING

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the meeting of the Rules Committee scheduled for January 11, 2001, at 10:00 a.m. at 1 Dr. Carlton B. Goodlett Place, Room 263, City Hall, San Francisco, California, has been **cancelled**.

Gloria L. Young, Clerk of the Board

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City and County of San Francisco
Meeting Minutes
Rules Committee

Monday, January 22, 2001 | **10:00 AM** | **City Hall, Room 263**

Special Meeting

Members Present: Mark Leno, Sophie Maxwell, Matt Gonzalez.

Meeting Convened

The meeting convened at 10:00 a.m.

010083 **[Rules of Order; Committees]**

Supervisor Ammiano

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco, by repealing Sections 5.1 through 5.11 and replacing them with new Sections 5.1 through 5.10, thereby creating a new committee structure of the Board.

1/16/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee: Speakers: Supervisor Ammiano; Supervisor Leno.
Amended on page 3, lines 5 and 7 to delete the word "select".
AMENDED.

To Board as Committee Report January 22, 2001.
RECOMMENDED AS COMMITTEE REPORT by the following vote:
Ayes: 3 - Leno, Maxwell, Gonzalez

ADJOURNMENT

The meeting adjourned at 10:05 a.m.

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BOARD of SUPERVISORS

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NOTICE OF CANCELLED MEETING

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the meeting of the Rules Committee scheduled for January 25, 2001 at 10:00 a.m. at 1 Dr. Carlton B. Goodlett Place, Room 263, City Hall, San Francisco, California, has been **cancelled**.

Gloria L. Young, Clerk of the Board

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RULES COMMITTEE
S.F. BOARD OF SUPERVISORS
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City and County of San Francisco
Meeting Minutes
Rules Committee

[All Committees]

Members: Supervisors Matt Gonzalez, Tony Hall

Clerk: Victor Young

City Hall
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Thursday, February 01, 2001 **1:00 PM**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 1:04 pm.

002151 [Appointment]
Hearing to consider appointment of four members to the Union Square Business Improvement District Advisory Board.

4 Seats Being Considered:
Seat 3, succeeding Jordan Meisner, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004;
Seat 5, succeeding James Flood, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004;
Seat 6, succeeding Ann Paolini, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004;
Seat 12, succeeding Annie Kim, must be business licensee located within the district, for unexpired portion of a five-year term ending June 30, 2004.

12/6/00, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Leigh Ann Matsche, Administrator; Mark Heinzelman; Stephen Brett. Seat 12 divided and continued to the call of the chair. See File 010211.

DIVIDED.

Hearing to consider appointment of three members to the Union Square Business Improvement District Advisory Board.

3 Seats Being Considered:
Seat 3, succeeding Jordan Meisner, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004;
Seat 5, succeeding James Flood, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004;
Seat 6, succeeding Ann Paolini, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004.

Appointment of Mark Heinzelman, Seat 3, Russell Kei (residency requirement waived), Seat 5, and Stephen Brett (residency requirement waived), Seat 6, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Mark Heinzelman, Russell Keil, and Stephen Brett, terms ending June 30, 2004, to the Union Square Business Improvement District Advisory Board; waiving residency requirement.

Mark Heinzelman, Seat 3, succeeding Jordan Meisner, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004;
Russell Keil (residency requirement waived), Seat 5, succeeding James Flood, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004;
Stephen Brett (residency requirement waived), Seat 6, succeeding Ann Paolini, must be property owner within the business improvement district, for unexpired portion of a five-year term ending June 30, 2004.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010211 **[APPOINTMENT]**

Hearing to consider appointment of one member to the Union Square Business Improvement District Advisory Board.

1 Seat Being Considered:
Seat 12, succeeding Annie Kim, must be business licensee located within the district, for unexpired portion of a five-year term ending June 30, 2004.

Divided from File 002151. Continued to the call of the chair.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

001799 **[Appointment]**

Hearing to consider appointing seven members to the Lead Hazard Reduction Citizens Advisory Committee.

7 Seats Being Considered:
Seat 1, succeeding Ellen Frost, must be an affordable housing developer, unexpired portion of 4-year term ending June 25, 2001;
Seat 2, succeeding Peter Burns, must represent the Bureau of Bldg. Inspection, DPW or designee, unexpired portion of four-year term ending December 22, 2003;
Seat 5, succeeding Alice Bussiere, must represent child care, unexpired portion of 4-year term ending December 22, 2003;
Seat 14, succeeding Stephen Davis, must be lead testing expert, new 4-year term ending December 22, 2003;
Seat 16, succeeding Mitch Fine, must be financial expert, new 4-year term ending December 22, 2003;
Seat 19, ex-officio member, succeeding Donald Lanier, must represent US Environmental Protection Agency, new 4-year term ending December 22, 2003;
Seat 20, ex-officio member, succeeding Robert Nakamura, must represent CAL/OSHA, new 4-year term ending December 22, 2003.

10/12/00, CONTINUED TO CALL OF THE CHAIR. Divided from 000688. Continued to the call of the chair.
10/12/00, RECEIVED AND ASSIGNED to Rules Committee.
12/19/00, CLERICAL CORRECTION to Rules Committee. Seat 2 added due to resignation.

Heard in Committee. Speakers: Marvin Ruiz.
Seat 1, 5, 14, 16, 19, and 20 divided and continued to the call of the chair. See File 010212.

DIVIDED.

Hearing to consider appointing one member to the Lead Hazard Reduction Citizens Advisory Committee.

1 Seat Being Considered:
Seat 2, succeeding Peter Burns, must represent the Bureau of Bldg. Inspection, DPW or designee, unexpired portion of four-year term ending December 22, 2003.

Appointment of Marvin Ruiz (residency requirement waived), Seat 2, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Marvin Ruiz, term ending December 22, 2003, to the Lead Hazard Reduction Citizens Advisory Committee; waiving residency requirement.

Marvin Ruiz (residency requirement waived), Seat 2, succeeding Peter Burns, must represent the Bureau of Bldg. Inspection, DPW or designee, unexpired portion of four-year term ending December 22, 2003.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010212 **[Appointment]**

Hearing to consider appointing five members to the Lead Hazard Reduction Citizens Advisory Committee.

5 Seats Being Considered:
Seat 1, Succeeding Ellen Frost, must be an affordable housing developer, unexpired portion of 4-year term ending June 25, 2001;
Seat 14, succeeding Stephen Davis, must be lead testing expert, new 4-year term ending December 22, 2003;
Seat 16, succeeding Mitch Fine, must be financial expert, new 4-year term ending December 22, 2003;
Seat 19, ex-officio member, succeeding Donald Lanier, must represent US Environmental Protection Agency, new 4-year term ending December 22, 2003;
Seat 20, ex-officio member, succeeding Robert Nakamura, must represent CAL/OSHA, new 4-year term ending December 22, 2003.

Divided from File 001799. Continued to the call of the chair.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

001750 **[Appointment]**

Hearing to consider appointing eleven members to the Lead Poisoning Prevention Citizens Advisory Committee.

11 Seats Being Considered:
Seat 1, succeeding Jans Wan, must have expertise in childcare, unexpired portion of 4-year term ending August 20, 2003;
Seat 2, succeeding Virginia Aguilar, must have expertise in childcare, unexpired portion of 4-year term ending August 20, 2003;
Seat 3, succeeding Sandra Carrillo, must represent a tenant organization, unexpired portion of 4-year term ending August 20, 2003;
Seat 9, succeeding Stacey Samek, must represent the San Francisco Unified School District, unexpired portion of 2-year term ending August 20, 2001;
Seat 12, succeeding Giulio Sorro, must have expertise in affordable housing, unexpired portion of 4-year term ending August 20, 2003;
Seat 14, succeeding Michael Miller, must have expertise in real estate, new 4-year term ending August 20, 2001;
Seat 19, succeeding Ana Shul, must be low-income advocate, unexpired portion of 4-year term ending August 20, 2004;
Seat 20, succeeding Basheem Allah, must have expertise in neighborhood concerns, unexpired portion of 4-year term ending August 20, 2003;
Seat 21, succeeding Merrill Buice, must have expertise in non-profit clinics, new 4-year term ending August 20, 2003;
Seat 24, succeeding Nancy Lewis, must be a medical provider, unexpired portion of 4-year term ending August 20, 2001;
Seat 25, vacant position, must represent public housing tenants, unexpired portion of 4-year term ending August 20, 2001.

9/28/00, CONTINUED TO CALL OF THE CHAIR. Divided from File 001098.

10/2/00, RECEIVED AND ASSIGNED to Rules Committee.

12/19/00, CLERICAL CORRECTION to Rules Committee. Seats 1, 2, 3, 12, 14, and 20 added due to resignation and expirations of terms.

Heard in Committee. Speakers: Rebecca Dandois; Cheryl Magid; Francisco Casique; Michelle Horneff; Akua Jackson.
Seat 9, 12, 19, 21, 24, and 25 divided and continued to the call of the chair. See File 010213.

DIVIDED.

Hearing to consider appointing five members to the Lead Poisoning Prevention Citizens Advisory Committee.

5 Seats Being Considered:
Seat 1, succeeding Jans Wan, must have expertise in childcare, unexpired portion of 4-year term ending August 20, 2003;
Seat 2, succeeding Virginia Aguilar, must have expertise in childcare, unexpired portion of 4-year term ending August 20, 2003;
Seat 3, succeeding Sandra Carrillo, must represent a tenant organization, unexpired portion of 4-year term ending August 20, 2003:
Seat 14, succeeding Michael Miller, must have expertise in real estate, new 4-year term ending August 20, 2001;
Seat 20, succeeding Basheem Allah, must have expertise in neighborhood concerns, unexpired portion of 4-year term ending August 20, 2003.

Appointment of Rebecca Dandois (waiving residency requirements), Seat 1, Cheryl Magid, Seat 2, Francisco Casique (waiving residency requirements), Seat 3, Michelle Horneff, Seat 14, and Akua Jackson (waiving residency requirements), Seat 20, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Rebecca Dandois, Cheryl Magid, Francisco Casique, and Akua Jackson, term ending August 20, 2003, and Michelle Horneff, term ending August 20, 2001, to the Lead Poisoning Prevention Citizens Advisory Committee; waiving residency requirement.

Rebecca, Dandois (residency requirement waived), Seat 1, succeeding Jans Wan, must have expertise in childcare, unexpired portion of 4-year term ending August 20, 2003;
Cheryl Magid, Seat 2, succeeding Virginia Aguilar, must have expertise in childcare, unexpired portion of 4-year term ending August 20, 2003;
Francisco Casique (residency requirement waived), Seat 3, succeeding Sandra Carrillo, must represent a tenant organization, unexpired portion of 4-year term ending August 20, 2003:
Michelle Horneff, Seat 14, succeeding Michael Miller, must have expertise in real estate, new 4-year term ending August 20, 2001;
Akua Jackson (residency requirement waived), Seat 20, succeeding Basheem Allah, must have expertise in neighborhood concerns, unexpired portion of 4-year term ending August 20, 2003.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010213 **[Appointment]**

Hearing to consider appointing six members to the Lead Poisoning Prevention Citizens Advisory Committee.

6 Seats Being Considered:
Seat 9, succeeding Stacey Samek, must represent the San Francisco Unified School District, unexpired portion of 2-year term ending August 20, 2001;
Seat 12, succeeding Giulio Sorro, must have expertise in affordable housing, unexpired portion of 4-year term ending August 20, 2003;
Seat 19, succeeding Ana Shul, must be low-income advocate, unexpired portion of 4-year term ending August 20, 2004;
Seat 21, succeeding Merrill Buice, must have expertise in non-profit clinics, new 4-year term ending August 20, 2003;
Seat 24, succeeding Nancy Lewis, must be a medical provider, unexpired portion of 4-year term ending August 20, 2001;
Seat 25, vacant position, must represent public housing tenants, unexpired portion of 4-year term ending August 20, 2001.

Divided from File 001750. Continued to the call of the chair.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010017 **[Organization list for membership in the Park, Recreation and Open Space Advisory Committee]**

Supervisor Newsom

Resolution ratifying the list of recommended organizations for membership in the Park, Recreation, and Open Space Advisory Committee as required by Proposition C and approved by the Recreation and Park Commission.

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
1/16/01, SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA. Supervisor Newsom requested this matter be severed so it could be considered separately.
1/16/01, REFERRED to Rules Committee. Supervisor Newsom requested this matter be referred to committee.

Continued to February 15, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010120 [Meeting Schedule]

Supervisor Ammiano

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the November 26, 2001, December 24, 2001 and December 31, 2001 meetings and by canceling all Board and Committee meetings from August 28 through September 16, 2001.

1/22/01, RECEIVED AND ASSIGNED to Rules Committee.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 1:28 pm.

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City and County of San Francisco
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Members: Supervisors Matt Gonzalez, Tom

Clerk: Victor You

Thursday, February 01, 2001 **1:30 PM** **City Hall, Room 263**

Special Meeting

Members Present: Matt Gonzalez, Tom Ammiano, Tony Hall.

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Meeting Convened

The meeting convened at 1:47 pm.

002110 **[Municipal Utility District Wards]**

Supervisors Ammiano, McGoldrick

Motion establishing wards for proposed Municipal Utility District Election.

12/4/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Gloria L. Young, Executive Officer, LAFCO; Ted Lakey, Deputy City Attorney; Neil Eisenberg, Chair, LAFCO; Angela Alioto; Supervisor McGoldrick; Joel Ventresca; Clayton Holstine, City Manager of Brisbane; Don Casper; Mark Thomas; Doug Comstock; Douglas Chan; Jim Sacna; Richard Ow.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

002111 **[Special election for Municipal Utility District petition]**

Supervisors Ammiano, McGoldrick

Motion calling and providing for a Special Election to be held in the City and County of San Francisco and the City of Brisbane on Tuesday, November 6, 2001, for the purpose of submitting to the voters a proposal to form a Municipal Utility District for the City and County of San Francisco and the City of Brisbane; consolidating the Special Election with the General Municipal Election to be held in the City and County of San Francisco on November 6, 2001.

12/4/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Gloria L. Young, Executive Officer, LAFCO; Ted Lakey, Deputy City Attorney; Neil Eisenberg, Chair, LAFCO; Angela Alioto; Supervisor McGoldrick; Joel Ventresca; Clayton Holstine, City Manager of Brisbane; Don Casper; Mark Thomas; Doug Comstock; Douglas Chan; Jim Sacna; Richard Ow.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 3:38 pm.

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City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, February 15, 2001 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 1:09 pm.

010017 **[Organization list for membership in the Park, Recreation and Open Space Advisory Committee] Supervisor Newsom**

Resolution ratifying the list of recommended organizations for membership in the Park, Recreation, and Open Space Advisory Committee as required by Proposition C and approved by the Recreation and Park Commission.

1/2/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

1/16/01, SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA. Supervisor Newsom requested this matter be severed so it could be considered separately.

1/16/01, REFERRED to Rules Committee. Supervisor Newsom requested this matter be referred to committee.

2/1/01, CONTINUED. Continued to February 15, 2001.

Heard in Committee. Speakers: Mike Farrah, speaking on behalf of Supervisor Newsom; Ted Lakey, Deputy City Attorney; Clayton Mansfield, Sierra Club; Jane Winslow; Christopher Courter; Allen Weaver.

FILED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010209 **[Appointment to San Francisco LAFCO]**

Motion appointing Supervisor Ammiano, Supervisor Maxwell, Supervisor Daly, and Supervisor McGoldrick, to the San Francisco Local Agency Formation Commission, and appointing Supervisor Gonzalez as an alternate member. (Clerk of the Board)

1/31/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Gloria Young, Clerk of the Board; Ted Lakey, Deputy City Attorney; Ernestein Weiss.

Divided due to the fact that a Supervisor cannot vote on his/her own appointment. See Files 010320, 010321, 010322, 010323.

DIVIDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

Motion appointing Supervisor Ammiano to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Supervisor Ammiano excused from voting in committee.
To Board of Supervisors on February 20, 2001.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 2 - Gonzalez, Hall
Excused: 1 - Ammiano

010320 **[Appointment to San Francisco LAFCO]**

Motion appointing Supervisor Maxwell to the San Francisco Local Agency Formation Commission.

Divided from File 010209.
Supervisor Ammiano excused from voting in committee.
To Board of Supervisors on February 20, 2001.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010321 **[Appointment to San Francisco LAFCO]**

Motion appointing Supervisor Daly to the San Francisco Local Agency Formation Commission.

Divided from File 010209.
Supervisor Ammiano excused from voting in committee.
To Board of Supervisors on February 20, 2001.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 2 - Gonzalez, Hall
Excused: 1 - Ammiano

010322 **[Appointment to San Francisco LAFCO]**

Motion appointing Supervisor McGoldrick to the San Francisco Local Agency Formation Commission.

Divided from File 010209.
Supervisor Ammiano excused from voting in committee.
To Board of Supervisors on February 20, 2001.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 2 - Gonzalez, Hall
Excused: 1 - Ammiano

010323 **[Appointment to San Francisco LAFCO]**

Motion appointing Supervisor Gonzalez as an alternate member to the Local Agency Formation Commission.

Divided from File 010209.
Supervisor Gonzalez excused from voting in committee.
To Board of Supervisors on February 20, 2001.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 2 - Hall, Ammiano
Excused: 1 - Gonzalez

010152 [Appointment]

Resolution appointing Supervisor Aaron Peskin, term ending February 1, 2005, to the Bay Area Air Quality Management District Board of Directors.

1/25/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010218 [Appointment]

Resolution appointing Supervisor Tony Hall, term ending February 1, 2005, to the Bay Area Air Quality Management District Board of Directors.

(Supervisor Hall excused from voting in committee.)

2/5/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.
Supervisor Hall excused from voting in committee.

FILED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Excused: 1 - Hall

010153 [Appointment]

Resolution appointing Supervisor Leland Yee and Supervisor Jake McGoldrick, term ending November 28, 2001, to the California State Association of Counties Board of Directors.

1/25/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010154 [Appointment]

Resolution appointing Supervisor Tony Hall, term ending June 30, 2001, to the Association of Bay Area Governments Executive Board.

(Supervisor Hall excused from voting in committee.)

1/25/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.
Supervisor Hall excused from voting in committee.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Excused: 1 - Hall

010217 **[Appointment]**

Resolution appointing Supervisor Jake McGoldrick, term ending June 30, 2001, to the Association of Bay Area Governments Executive Board.

2/5/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010155 **[Appointment]**

Resolution appointing Supervisor Tony Hall, term ending June 30, 2002, to the Peninsula Corridor Study Joint Powers Board.

(Supervisor Hall excused from voting in committee.)

1/25/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.
Supervisor Hall excused from voting in committee.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Excused: 1 - Hall

010156 **[Appointment]**

Resolution appointing Supervisor Leland Yee, for an indefinite term, to the San Francisco Bay Conservation and Development Commission.

1/25/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010157 **[Appointment]**

Resolution appointing Supervisor Tom Ammiano, term ending February 9, 2003, to the Metropolitan Transportation Commission.

(Supervisor Ammiano excused from voting in committee.)

1/25/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.
Supervisor Ammiano excused from voting in committee.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Hall
Excused: 1 - Ammiano

010158 **[Appointment]**

Resolution appointing Supervisor Tom Ammiano, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

(Supervisor Ammiano excused from voting in committee.)

1/25/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

Supervisor Ammiano excused from voting in committee.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Hall

Excused: 1 - Ammiano

010214 **[Appointment]**

Resolution appointing Supervisor Leland Yee, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

2/1/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010215 **[Appointment]**

Resolution appointing Supervisor Gavin Newsom, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

2/1/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010216 **[Appointment]**

Resolution appointing Supervisor Mark Leno, term ending January 31, 2003, to the Board of Directors, Golden Gate Bridge Highway and Transportation District.

2/1/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010025 [Appointments]

Supervisor Ammiano

Hearing to consider and appoint members of the general public who are interested in being appointed to the at-large positions on the Golden Gate Bridge, Highway and Transportation District.

1/2/01, RECEIVED AND ASSIGNED to Rules Committee.

2/12/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute text.

2/12/01, ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ms. Jackson; Jane Morrison; John Rudolph; Robert McDonnell; John Moylan; Bob Ross; Maryanne Harrison; Harry Kim; Roger Grimes; Joseph Blue; Clement DeAmicis; Leah Shahum; Ted Lakey, Deputy City Attorney; David Novogrodsky; Ernestine Weiss; Vitus Leung, Local 21; Stan Warren, SF Building Trades Council; Dennis Lawlor; Randall Oyler, Iron Workers Union 377; Walter Johnson; John Hanley, Firefighters of San Francisco; John Farrell; Clayton Mansfield, Sierra Club; Chris Cunning, Police Officer Association; Kevin Hughs; Robert Nodo; Suki O'Raghallaigh, speaking on behalf of Supervisor Sandoval.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Joseph Blue, Robert McDonnell, Leah Shahum, and Maryanne Harrison, indefinite terms subject to review and affirmation by the Board of Supervisors in January of each odd numbered year, to the Golden Gate Bridge, Highway and Transportation District.

Supervisor Gonzalez dissenting on the appointment of Robert McDonnell, Seat 2.

Roll Call Vote:
Joseph Blue, Seat 1, recommended: Gonzalez-aye, Hall-aye, Ammiano-aye;
Robert McDonnell, Seat 2, recommended: Gonzalez-nay, Hall-aye, Ammiano-aye;
Leah Shahum, Seat 3, recommended: Gonzalez-aye, Hall-aye, Ammiano-aye;
Maryanne Harrison, Seat 4, recommended: Gonzalez-aye, Hall-aye, Ammiano-aye.

RECOMMENDED.. by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010010 [Ban on old-growth wood]

Supervisors Katz, Bierman, Leno

Ordinance amending San Francisco Administrative Code by reenacting Chapter 121 which prohibits the City from using, requisitioning or purchasing any tropical hardwoods, tropical hardwood products, virgin redwood, or virgin redwood products.

(Reenacts Sections 121.1 through 121.11.)

1/2/01, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

2/1/01, TRANSFERRED to Rules Committee. New committee structure.

Heard in Committee. Speakers: Mark Westlund, Department of the Environment; Jenifer Krill.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 3:46 pm.

City and County of San Francisco
Meeting Minutes
Rules Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, March 01, 2001 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 1:00 pm.

010312 **[Appointment]**

Resolution appointing Supervisor Chris Daly, term ending February 1, 2005, to the Bay Area Air Quality Management District Board of Directors.

(Supervisor Chris Daly, vacant seat, [Seat No. 2, must be a member of the Board of Supervisors or the Mayor] for a new four year term ending February 1, 2005.)

2/12/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010213 **[Appointment]**

Hearing to consider appointing six members to the Lead Poisoning Prevention Citizens Advisory Committee.

6 Seats Being Considered:
Seat 9, succeeding Stacey Samek, must represent the San Francisco Unified School District, unexpired portion of 2-year term ending August 20, 2001;
Seat 12, succeeding Giulio Sorro, must have expertise in affordable housing, unexpired portion of 4-year term ending August 20, 2003;
Seat 19, succeeding Ana Shul, must be low-income advocate, unexpired portion of 4-year term ending August 20, 2004;
Seat 21, succeeding Merrill Buice, must have expertise in non-profit clinics, new 4-year term ending August 20, 2003;
Seat 24, succeeding Nancy Lewis, must be a medical provider, unexpired portion of 4-year term ending August 20, 2001;
Seat 25, vacant position, must represent public housing tenants, unexpired portion of 4-year term ending August 20, 2001.

2/1/01, CONTINUED TO CALL OF THE CHAIR. Divided from File 001750. Continued to the call of the chair.

2/2/01, RECEIVED AND ASSIGNED to Rules Committee.

Continued to March 15, 2001.

CONTINUED.

010263 [Appointment]
Hearing to consider appointing three members to the Transgender Civil Rights Implementation Task Force.

3 Seats Being Considered:
Seat 8, succeeding L. J. Irving, must be a member of the transgender community, for unexpired portion of a two-year term ending June 1, 2002;
Seat 9, succeeding Jo Ellen Fisher, must be a member of the transgender community, for unexpired portion of a two-year term ending June 1, 2002;
Seat 11, succeeding Dominique Rosa Leslie, must be a member of the transgender community, for unexpired portion of a two-year term ending June 1, 2002.

Heard in Committee. Speakers: Red Jordan Arobateau; Gwedolyn Ann Smith; LeChara Johnson; person, speaking on behalf of Levi Rena Stolove; Ted Lakey, Deputy City Attorney; Felicia Elizondo; Melenie Eleneke; Nathan Purkiss, Aide to Supervisor Leno; Jordy Jones.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Levi Rena Stolove, LeChara Johnson, and Melenie Eleneke, terms ending June 1, 2002, to the Transgender Civil Rights Implementation Task Force; residency requirement waived.

(Levi Rena Stolove, succeeding L. J. Irving, [Seat 8, must be a member of the transgender community] for unexpired portion of a two-year term ending June 1, 2002;
LeChara Johnson, succeeding Jo Ellen Fisher, [Seat 9, must be a member of the transgender community] for unexpired portion of a two-year term ending June 1, 2002;
Melenie Eleneki(residency requirement waived), succeeding Dominique Rosa Leslie, [Seat 11, must be a member of the transgender community] for unexpired portion of a two-year term ending June 1, 2002.)

Levi Rena Stolove, Seat 8; LeChara Johnson, Seat 9; and Melelenie Eleneke(residency requirement waived), Seat 11, recommended.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

001389 [Appointment]
Hearing to consider four appointments to the Delinquency Prevention Commission.

4 Seat Being Considered:
Seat 1, succeeding Andrew Lai, must be a youth, 18 years of age or younger; for a new two-year term ending December 31, 2002;
Seat 2, succeeding Cynthia Seymour, must have interest in and be knowledgeable regarding juvenile delinquency prevention; unexpired portion of four-year term ending December 31, 2002;
Seat 3, succeeding Enola Maxwell, must have interest in and be knowledgeable regarding juvenile delinquency prevention; unexpired portion of four-year term ending December 31, 2002;
Seat 19, succeeding Maria Rosa Navarro, must have interest in and be knowledgeable of juvenile delinquency prevention.; unexpired portion of four-year term ending June 30, 2003.

7/27/00, CONTINUED TO CALL OF THE CHAIR. Divided from File 991248.

7/27/00, RECEIVED AND ASSIGNED to Rules Committee.

2/13/01, CLERICAL CORRECTION to Rules Committee. Seat 2, 3,and 19 added due to expiration of terms and resignations.

Heard in Committee. Speakers: Jeannie Hwang Bray, Administrator, Delinquency Prevention Commission; Julie Posadas; Diana Ming Chan; Ted Lakey, Deputy City Attorney; David Parker; Mr. Wong, Asian Pacific Wellness Center.

Continued to March 15, 2001.

CONTINUED.

010264 [Appointment]

Hearing to consider appointing one member to the Drug Abuse Advisory Board.

1 Seat Being Considered:
Seat 3, succeeding Marillac Mayorga, must represent the public at large, for the unexpired portion of a three-year term ending October 1, 2001.

2/7/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Danita Mathis, Executive Officer, Drug Abuse Advisory Committee; Ted Lakey, Deputy City Attorney; Leon Winston; Duru Earnest Chidi; Tooru Nemoto; Alan Shipley; Vannesa Podia.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution Appointing Leon Winston, term ending October 1, 2001, to the Drug Abuse Advisory Board.

(Leon Winston, succeeding Marillac Mayorga, [Seat 3, must represent the public at large] for the unexpired portion of a three-year term ending October 1, 2001.)

Leon Winston, Seat 3, recommended.

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

010311 [Appointment]

Hearing to consider appointing two members to the Veterans Affairs Commission.

2 Seats Being Considered:
Seat 1, succeeding Leonard Grube, must be a member at-large, for the unexpired portion of a four-year term ending January 31, 2003;
Seat 2, succeeding Veronika Cauley, must be a member at-large, for a new four-year term ending January 31, 2005.

2/13/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Raymond Wong; Carla Hollis; Ted Lakey, Deputy City Attorney; Edwin A. Wilkerson; Michael Thompson.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Carla Hollis, term ending January 31, 2003, and Michael Thompson, term ending January 31, 2005, to the Veterans Affairs Commission.

(Carla Hollis, succeeding Leonard Grube, [Seat 1, must be a member at-large] for the unexpired portion of a four-year term ending January 31, 2003;
Michael Thompson, succeeding Veronika Cauley, [Seat 2, must be a member at-large] for a new four-year term ending January 31, 2005.)

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

ADJOURNMENT

The meeting adjourned at 3:05 pm.

City and County of San Francisco
Meeting Minutes
Rules Committee

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, March 15, 2001 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

The meeting convened at 1:05 pm.

010405 [Appointment]
Resolution appointing Supervisor Chris Daly, term ending December 24, 2002, to the Children and Families Commission.

(Supervisor Chris Daly, succeeding former Supervisor Mabel Teng, [Seat 3, must be a member of the Board of Supervisors] for the unexpired portion of a four-year term ending December 24, 2002.)
3/5/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

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001189 **[Appointment]**

Hearing to consider appointment of eleven members to the Immigrant Rights Commission.

11 Seats Being Considered:
Seat 1, succeeding Renato Ecarma, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Seat 2, succeeding Marie-Lorraine Mallare, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Seat 3, succeeding Thou Ny, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Seat 4, succeeding Richard Ow, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2001;
Seat 5, succeeding Renee Saucedo, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Seat 6, succeeding Martin Schenker, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2001;
Seat 7, succeeding Lee Sprague, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2001;
Seat 8, succeeding Nam Thai, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2001;
Seat 9, succeeding Philip Nguyen, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Seat 10, succeeding Anita Friedman, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2001;
Seat 11, succeeding Samuel Assefa, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2001.

6/22/00, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Geoff Turner; Emi Guskuma; Maria Rocabado-Pham; Agneta Falk-Hirshman; Vram Kouramajian; John Akapo; Ted Lakey, Deputy City Attorney; Samuel Assefa; Vera Haile; Rabbi Shimon Margolin; Jeffrey Chen; Phu Nguyen.
(Seat 3, 4, 5, 9, 10, and 11 divided and continued to the call of the chair. See File 010516.)
DIVIDED.

Hearing to consider appointing five members to the Immigrant Rights Commission.

5 Seats Being Considered:
Seat 1, succeeding Renato Ecarma, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Seat 2, succeeding Marie-Lorraine Mallare, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Seat 6, succeeding Martin Schenker, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2001;
Seat 7, succeeding Lee Sprague, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2001;
Seat 8, succeeding Nam Thai, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2001.

Appointment of Vera Haile, Seat 1; Jeffrey Chen, Seat 2; Emi Gusukuma, Seat 6; Vram Kouramajian (waiving residency requirements), Seat 7; and Phu Nguyen, Seat 8; recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Emi Gusukuma, Vram Kourmajian, and Phu Nguyen, terms expiring June 6, 2001, and Vera Haile and Jeffrey Chen, terms expiring June 6, 2002, to the Immigrant Rights Commission; waiving residency requirement.

(Vera Haile, succeeding Renato Ecarma, [Seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2002;
Jeffrey Chen, succeeding Marie Lorraine Mallare, [Seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2002;
Emi Gusukama, succeeding Martin Schenker, [Seat 6, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2002;
Vram Kouramajian [residency requirement waived], succeeding Lee Sprague, [Seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2002;
Phu Nguyen, succeeding Nam Thai, [Seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco], 2-year term ending June 6, 2002.)

Supervisor Hall dissented on the appointment of Jeffrey Chen, Seat 2.

RECOMMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010516 **[Appointment]**
Hearing to consider appointing six members to the Immigrant Rights Commission.

6 Seats Being Considered:
Seat 3, succeeding Thou Ny, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Seat 4, succeeding Richard Ow, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003;
Seat 5, succeeding Renee Saucedo, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Seat 9, succeeding Philip Nguyen, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Seat 10, succeeding Anita Friedman, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003;
Seat 11, succeeding Samuel Assefa, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003.

Divided from File No. 001189.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

001389 **[Appointment]**
Hearing to consider four appointments to the Delinquency Prevention Commission.

4 Seat Being Considered:
Seat 1, succeeding Andrew Lai, must be a youth, 18 years of age or younger, for a new two-year term ending December 31, 2002;
Seat 2, succeeding Cynthia Seymour, must have interest in and be knowledgeable regarding juvenile delinquency prevention, unexpired portion of four-year term ending December 31, 2002;
Seat 3, succeeding Enola Maxwell, must have interest in and be knowledgeable regarding juvenile delinquency prevention, unexpired portion of four-year term ending December 31, 2002;
Seat 19, succeeding Maria Rosa Navarro, must have interest in and be knowledgeable of juvenile delinquency prevention, unexpired portion of four-year term ending June 30, 2003.

7/27/00, CONTINUED TO CALL OF THE CHAIR. Divided from File 991248.

7/27/00, RECEIVED AND ASSIGNED to Rules Committee.

2/13/01, CLERICAL CORRECTION to Rules Committee. Seat 2, 3,and 19 added due to expiration of terms and resignations.

3/1/01, CONTINUED. Heard in Committee. Speakers: Jeannie Hwang Bray, Administrator, Delinquency Prevention Commission; Julie Posadas; Diana Ming Chan; Ted Lakey, Deputy City Attorney; David Parker; Mr. Wong, Asian Pacific Wellness Center. Continued to March 15, 2001.

Heard in Committee. Speakers: Jeannie Hwang Bray, Administrator, Delinquency Prevention Commission; David Parker; David Lee Crosby; Linda Brook.
(Seat 1, divided and continued to the call of the chair. See File 010517.)
DIVIDED.

Hearing to consider three appointments to the Delinquency Prevention Commission.

3 Seat Being Considered:
Seat 2, succeeding Cynthia Seymour, must have interest in and be knowledgeable regarding juvenile delinquency prevention, unexpired portion of four-year term ending December 31, 2002;
Seat 3, succeeding Enola Maxwell, must have interest in and be knowledgeable regarding juvenile delinquency prevention, unexpired portion of four-year term ending December 31, 2002;
Seat 19, succeeding Maria Rosa Navarro, must have interest in and be knowledgeable of juvenile delinquency prevention, unexpired portion of four-year term ending June 30, 2003.

Appointment of David Parker, Seat 2; David Lee Crosby, Seat 3; and Julie Pasadas (residency requirement waived), Seat 19; recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing David Parker and David Lee Crosby, terms ending December 31, 2002, and Julie Pasadas, term ending June 30, 2003, to the Delinquency Prevention Commission; waiving residency requirement.

(David Parker, succeeding Cynthia Seymour, [Seat 2, must have interest in and be knowledgeable regarding juvenile delinquency prevention], unexpired portion of four-year term ending December 31, 2002;
David Lee Crosby, succeeding Enola Maxwell, [Seat 3, must have interest in and be knowledgeable regarding juvenile delinquency prevention], unexpired portion of four-year term ending December 31, 2002;
Julie Pasadas [residency requirement waived], succeeding Maria Rosa Navarro, [Seat 19, must have interest in and be knowledgeable of juvenile delinquency prevention], unexpired portion of four-year term ending June 30, 2003.)

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010517 [Appointment]
Hearing to consider appointing one member to the Delinquency Prevention Commission.

1 Seat Being Considered:
Seat 1, succeeding Andrew Lai, must be a youth, 18 years of age or younger, for a new two-year term ending December 31, 2002.

Divided from File No. 001389.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010213 [Appointment]

Hearing to consider appointing six members to the Lead Poisoning Prevention Citizens Advisory Committee.

6 Seats Being Considered:
Seat 9, succeeding Stacey Samek, must represent the San Francisco Unified School District, unexpired portion of 2-year term ending August 20, 2001;
Seat 12, succeeding Giulio Sorro, must have expertise in affordable housing, unexpired portion of 4-year term ending August 20, 2003;
Seat 19, succeeding Ana Shul, must be low-income advocate, unexpired portion of 4-year term ending August 20, 2004;
Seat 21, succeeding Merrill Buice, must have expertise in non-profit clinics, new 4-year term ending August 20, 2003;
Seat 24, succeeding Nancy Lewis, must be a medical provider, unexpired portion of 4-year term ending August 20, 2001;
Seat 25, vacant position, must represent public housing tenants, unexpired portion of 4-year term ending August 20, 2001.

2/1/01, CONTINUED TO CALL OF THE CHAIR. Divided from File 001750. Continued to the call of the chair.
2/2/01, RECEIVED AND ASSIGNED to Rules Committee.
3/1/01, CONTINUED. Continued to March 15, 2001.

Heard in Committee. Speakers: Jerry Rogers.
(Seat 9, 12, 19, 24, and 25 divided and continued to the call of the chair. See File 010518.)

DIVIDED.

Hearing to consider appointing one member to the Lead Poisoning Prevention Citizens Advisory Committee.

1 Seat Being Considered:
Seat 21, succeeding Merrill Buice, must have expertise in non-profit clinics, new 4-year term ending August 20, 2003.

Appointment of Jerry Rogers, Seat 21, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Jerry Rogers, term expiring August 20, 2003, to the Lead Poisoning Prevention Citizens Advisory Committee.

(Jerry Rogers, succeeding Merrill Buice, [Seat 21, must have expertise in non-profit clinics], new 4-year term ending August 20, 2003.)

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010518 [Appointment]

Hearing to consider appointing five members to the Lead Poisoning Prevention Citizens Advisory Committee.

5 Seats Being Considered:
Seat 9, succeeding Stacey Samek, must represent the San Francisco Unified School District, unexpired portion of 2-year term ending August 20, 2001;
Seat 12, succeeding Giulio Sorro, must have expertise in affordable housing, unexpired portion of 4-year term ending August 20, 2003;
Seat 19, succeeding Ana Shul, must be low-income advocate, unexpired portion of 4-year term ending August 20, 2004;
Seat 24, succeeding Nancy Lewis, must be a medical provider, unexpired portion of 4-year term ending August 20, 2001;
Seat 25, vacant position, must represent public housing tenants, unexpired portion of 4-year term ending August 20, 2001.

Divided from File No. 010213.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

001951 [Proposed Conflict of Interest Code Amendments]

Supervisor Newsom

Ordinance amending Article III, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code by adding Sections 3.1-109, 3.1-242, 3.1-252, 3.1-268, 3.1-312 and 3.1-422, amending Sections 3.1-120, 3.1-150, 3.1-155, 3.1-170, 3.1-175, 3.1-190, 3.1-195, 3.1-205, 3.1-215, 3.1-230, 3.1-235, 3.1-245, 3.1-250, 3.1-270, 3.1-275, 3.1-280, 3.1-285, 3.1-310, 3.1-320, 3.1-335, 3.1-345, 3.1-350, 3.1-355, 3.1-365, 3.1-375, 3.1-395, 3.1-410, 3.1-430, 3.1-440, and 3.1-445, and repealing Sections 3.1-115, 3.1-125, 3.1-200, 3.1-225, 3.1-370, 3.1-380, and 3.1-385 to update the list of designated employees who must file financial disclosure statements and to modify the applicable disclosure requirements. (City Attorney)

10/31/00, RECEIVED AND ASSIGNED to Rules Committee.
12/4/00, SUBSTITUTED. Supervisor Newsom submitted a substitute ordinance bearing new title.
12/4/00, ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney.

RECOMMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010131 [Planning Commission Appointments]

Supervisor Gonzalez

Hearing to discuss the current procedure for appointing individuals to the Planning Commission and to discuss possible changes to the San Francisco City Charter regarding these appointments.

1/22/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010242 **[Public Utilities Commission]**

Supervisor Gonzalez

Hearing to discuss the appointment process, structure, and overall effectiveness of the San Francisco Public Utilities Commission.

2/5/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010243 **[Rules of Order Amendment]**

Supervisors Peskin, Ammiano, Maxwell

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco to establish a new process for the Board's consideration of Mayoral appointments to the Planning Commission, the Board of Appeals, and the Public Utilities Commission, the new process requiring that the Clerk of the Board prepare and submit for Board consideration a motion approving, and another motion rejecting, each appointment made by the Mayor.

2/5/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Peskin; Paulina Brooks; Steven Bartoletti; Christine Linenbach; MaryAnne Miller; John Bartis; John O'Donnell; Judith Williams; Ted Lakey, Deputy City Attorney. (Amendment of the whole bearing the same title.)

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco to establish a new process for the Board's consideration of Mayoral appointments to the Planning Commission, the Board of Appeals, and the Public Utilities Commission, the new process requiring the Clerk of the Board to prepare and submit for Board consideration a motion approving, and another motion rejecting, each appointment made by the Mayor.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 3:25 pm.

City Hall
1 Dr Carlton B
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, March 29, 2001 **1:00 PM** **City Hall, Room 263**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

The meeting convened at 1:07 pm.

010131 **[Planning Commission Appointments]**

Supervisor Gonzalez

Hearing to discuss the current procedure for appointing individuals to the Planning Commission and to discuss possible changes to the San Francisco City Charter regarding these appointments.

1/22/01, RECEIVED AND ASSIGNED to Rules Committee

3/15/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney.

Heard in Committee. Speakers: Sue Hestor; Debra Walker; Ted Lakey, Deputy City Attorney; Norman Rolfe; John Decastro; John Bartes; Marc Salomon; Mark Tully; John DeDona; Stephen Williams.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 2:33 pm.

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

March 29, 2001

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APR - 4 2001

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TO: Rules Committee

FROM: Budget Analyst

SUBJECT: April 5, 2001 Rules Committee Meeting

Item 6 - File 01-0396

Department: Board of Supervisors

Item: Motion directing the Clerk of the Board of Supervisors to organize and staff a new Office of District Community Services to provide information, advice and services to the residents of the City's 11 Supervisorial Districts.

Description: The proposed motion would direct the Clerk of the Board of Supervisors to create an Office of District Community Services, which would function under the direction of the Clerk of the Board of Supervisors and provide information, advice and services to residents of San Francisco.

According to Ms. Gloria Young, the Clerk of the Board of Supervisors, the proposed Office of District Community Services is still in the planning stages. The subject motion states that the "Clerk of the Board shall supervise the creation of the Office, including its physical location, telephone and computer needs, staffing, and budget." To this end, as directed by the subject motion, the Clerk of the Board of Supervisors is to oversee the drafting and submission to the Board of Supervisors of all legislation

necessary to implement the new office. Ms. Young advises that such legislation would include an appropriation ordinance and a salary ordinance to create any new positions, both of which would be subject to Board of Supervisors approval.

Ms. Young advises that she is currently working with the Department of Human Resources to develop positions and salary ranges for the employees that would staff the proposed new Office of District Community Services. According to Ms. Young, the Office of District Community Services would employ a total of six employees. Five of these employees would each be assigned to oversee two of the 11 Supervisorial Districts, covering a total of 10 of the 11 Supervisorial Districts. The sixth employee would oversee the remaining one Supervisorial District and would also serve as the lead staff person of the new Office of District Community Services. Under the subject motion, the Clerk of the Board of Supervisors would be the Appointing Officer for such employees of the Office of District Community Services. Attachment I, provided by Ms. Young, contains a job description for the six proposed employees of the Office of District Community Services.

The proposed motion states that these staff positions would serve the Supervisorial Districts by "responding to resident telephone calls, e-mail and letters seeking information and advice on City and other governmental services, organizing town hall meetings related to issues of interest to the district, acting as a liaison between district residents and City government, and preparing reports addressing district issues." In addition, "the Office shall develop a centralized computer database of information about City and other governmental and non-profit services, and shall provide information for the City's website," as stated in the subject motion.

According to Ms. Young, under the current proposal, the staff of the Office of District Community Services would also spend approximately one day per week in each of the Supervisorial Districts, which he or she would be responsible to oversee. Ms. Young advises that she is currently working with the Division of Real Estate to identify existing City-owned or leased property that would

be available for locating such community outreach staff and activities. The Budget Analyst notes that possible additional costs required for the proposed six new positions to spend time in facilities outside of City Hall, such as costs for travel, materials and supplies, have not been included in the estimated budget shown below. In addition, the costs to renovate existing space within City Hall to accommodate the proposed six new positions during the time they spend in City Hall are not included in the proposed budget shown below (see Comment No. 3). Furthermore, Ms. Young advises that the proposed six new positions of the Office of District Community Services would be responsible for staffing any task forces created by the Board of Supervisors (e.g. Live-Work Task Force and the Transgender Task Force). Ms. Young estimates that the six positions would spend approximately 60 percent of their time in City Hall and 40 percent of their time in the Supervisorial Districts, including time spent attending meeting and community events.

The subject motion directs the Clerk of the Board of Supervisors to report back to the Board of Supervisors on the progress of organizing and staffing the Office of District Community Services within 30 days after the subject motion is approved. Ms. Young anticipates that new employees would be hired and the proposed Office of District Community Services would begin operating by July 1, 2001, or the beginning of Fiscal Year 2001-2002. Approval of the necessary funding would be brought to the Board of Supervisors for Fiscal Year 2000-2001 in a supplemental appropriation.

Budget:

An estimated budget for the proposed Office of District Community Services, provided by Ms. Young, is shown in the table below. The monies needed to fund such costs would be subject to separate appropriation approval by the Board of Supervisors.

Estimated Budget for Proposed Office of District Community Services	Amount
Estimated Annual Budget	
Personnel	
Salaries (Classification to be Determined, 6.0 FTE @ $63,109 each)	$378,654
Mandatory Fringe Benefits ($15,777 each @ 25 percent)	94,662
Subtotal Personnel	$473,316
Materials & Supplies (5 percent of Salaries)	18,933
Non-Personnel Services (Estimated Equipment Maintenance & Technology and Information Services)	25,000
Subtotal Estimated Annual Budget	$517,249
Estimated One-Time Start Up Costs	
Equipment	
Desks (5 @ $640 each)*	3,200
Desk Returns for Computers (5 @ $820 each)*	4,100
Lateral Files (2 @ $510 each)	1,020
Furniture Pick up, Delivery & Installation Charges	12,000
Cellular Phones (6 @ $200 each for initial purchase)	1,200
One-time activation fee for Cellular Phones (6 @ $50)	300
Laptop Computers (6 @ $2,200 each)	13,200
Palm Pilots (6 @ $450 each)	2,700
Construction Costs (See Comment No. 3)	**
Subtotal Estimated One-Time Start Up Costs	$37,720
Estimated Total Costs	$554,969

* Only five desks and desk returns would be required because the sixth staff person would occupy an existing space, which already has a desk, in the Administrative Office of the Clerk of the Board of Supervisors, according to Ms. Young.

Source of Funds: To fund the one-time start-up costs of the proposed Office of District Community Services, shown in the above budget, Ms. Young anticipates using existing General Fund monies in the Board of Supervisors' Fiscal Year 2000-2001 budget, previously used to fund a third aide for the each Supervisor, resulting in 11 "Constituent Liaison" positions (1364 Special Assistant V position) eliminated on January 8, 2001, in accordance with previous legislation approved by the Board of Supervisors, including a Supplemental Appropriation and a Salary Ordinance (Files 101-97-9 and 102-97-3) that created and initially funded these 11 positions. Proposition B, which would have restored the third aide, failed in the November 7,

2000 election. Ms. Young advises that the Board of Supervisors included a total of $621,647 in its budget for Fiscal Year 2000-2001 to fund a full year of employing such 11 positions, including $497,311 in salaries and $124,336 in mandatory fringe benefits. Therefore, of this $621,647, the Board of Supervisors placed on reserve $304,796 during the budget review for Fiscal Year 2000-2001, including $239,108 in salaries and $65,688 in mandatory fringe benefits, for the approximately six months after the 11 positions were eliminated, from January 8, 2001 to June 30, 2001, the end of Fiscal Year 2000-2001. Ms. Young advises that she will request the release of such reserved funds from the Finance Committee later in Fiscal Year 2000-2001 to fund the one-time start-up costs associated with the proposed Office of District Community Services. For Fiscal Year 2001-2002, the Clerk of the Board of Supervisors will request that the Board of Supervisors approve the necessary continuing General Fund monies to operate the new Office of District Community Services.

Comments:

1. The subject motion states, "The implementation of district elections for supervisors in the City and County of San Francisco has caused a significant increase in the number of requests for information, advice and service to the Board of Supervisors from residents in the 11 districts." Ms. Young advises that, according to the Board of Supervisors, the two aides (1835 Legislative Assistants) currently assigned to each member of the Board of Supervisors do not provide sufficient staff to handle this increased workload. As stated above, each member of the Board of Supervisors previously was assigned three staff members, until the 11 "Constituent Liaisons" (1364 Special Assistant V) were eliminated on January 8, 2001, as stipulated by the Supplemental Appropriation and Salary Ordinances (Files 101-97-9 and 102-97-3).

2. As shown in the above budget, Ms. Young estimates that the proposed Office of District Community Services would have on-going annual costs of approximately $517,249 subject to annual appropriation approval by the Board of Supervisors.

3. Ms. Young advises that the six proposed new staff positions for the Office of District Community Services would be housed in City Hall, where they are expected to spend approximately 60 percent of their time. One of the six staff members would occupy an existing space in the Administrative Offices of the Clerk of the Board of Supervisors. The Clerk of the Board of Supervisors would renovate the existing Training Facility in City Hall, Room 277, to house the remaining five employees. Because creation of the Office of District Community Services is still in the planning stage, Ms. Young has not yet compiled a cost estimate for such renovations. According to Ms. Young, the Training Facility in Room 277 is currently used to provide computer training to staff of the Clerk of the Board of Supervisors, including Aides assigned to Supervisors. Ms. Young advises that her Office is working to arrange use of an alternative computer training site in City Hall to replace Room 277.

4. The Mayor's Office has its own Office of Neighborhood Services. According to its website:

> "The Office of Neighborhood Services is the public's primary point of contact with the Mayor and City government. The office coordinates the efforts of City departments to better serve the public. It acts as a liaison between the City's neighborhoods and City government to assure the voice of the neighborhood is heard, and neighborhood problems and concerns are effectively handled. The Office of Neighborhood Services also organizes regular 'Open Door Days,' which allow residents to bring their concerns directly to the Mayor."

According to Mr. Bevan Duffy of the Mayor's Office, the Mayor's Office of Neighborhood Services, located in City Hall, currently employs 15 full-time staff members, 11 of which are assigned to oversee one Supervisorial District each. Mr. Duffy advises that staff from the Mayor's Office of Neighborhood Services also attend three of the Neighborhood City Halls, discussed below, hold monthly meetings in public housing facilities to address residents' concerns, and hold Quality of Life Meetings one to three

times a month throughout the City to provide residents with access to City department representatives.

In addition, the Department of Public Works (DPW), coordinating with the Mayor's Office of Neighborhood Services, organizes eight Neighborhood City Halls, which are located throughout San Francisco to provide opportunities for residents to speak directly with City representatives. Mr. Alex Mamak of DPW advises that such Neighborhood City Halls were designed to provide residents with assistance and information about City-related issues, such as street cleaning, graffiti removal, traffic and parking problems, MUNI and public safety. According to Mr. Mamak, such Neighborhood City Halls are generally staffed by employees from the Mayor's Office, the Department of City Planning, and/or the Department of Parking and Traffic. Attachment II, provided by DPW, shows the locations of the Neighborhood City Halls and a recent schedule of operation of these Neighborhood City Halls. Mr. Mamak advises that seven of the eight Neighborhood City Halls listed in Attachment II are currently in operation. The location in the Mission is not currently open due to a low response rate from the neighborhoods, limited funding and logistical difficulties of recruiting staff, according to Mr. Mamak.

5. In summary, estimated known one-time start-up costs for the new Office of District Community Services are approximately $37,720. However, because creation of the Office of District Community Services is still in the planning stage, additional one-time renovation costs may be required for the proposed office in City Hall. Such additional one-time costs have not yet been estimated. Estimated annual operating costs for the new Office of District Community Services, including six new positions, are $517,249. However, any additional costs required for the proposed six new positions to spend time in facilities outside of City Hall, such as costs for travel, materials and supplies, have not been included in the estimated annual budget shown above.

Recommendation: Approval of the proposed motion is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Stephen Kawa

Office of District Community Services

Job Title Suggestions:

(1) Community Services Officer
(2) Community Services Representative, or
(3) Community Services Liaison

JOB DESCRIPTION

This position works under the direction of the Clerk of the Board or his/her designed. The duties of the Community Services Officer or Assistant position include:

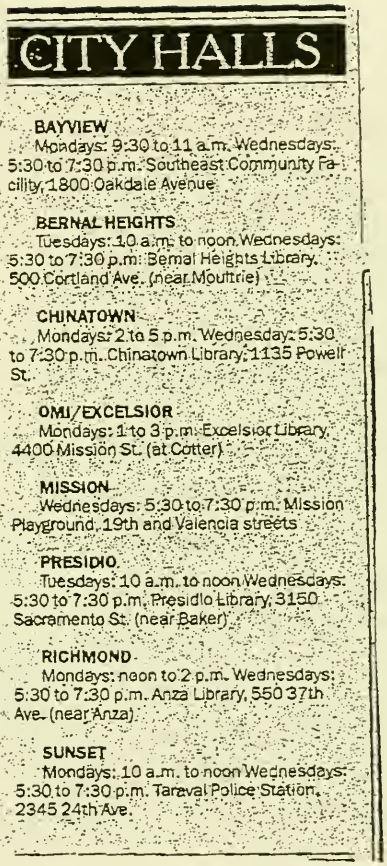
PRINCIPAL DUTIES:

1. Attend, convene and may provide staff support at *task force* ***and/or town hall*** meetings related to general issues or projects of interest to the district(s) communities, ***including, but not limited to note taking and posting notices of the meetings.***
2. Collaborate with other community assistants ***and/or non-profits,*** to develop citywide resource center information, shared resources, and specific district information hotlines or referrals.
3. Responds to e-mails, letters, faxes and other forms of communication.
4. Acts as a liaison between the City government and the 11 districts.
5. Gathers data, conducts research, and prepares reports as requested ***which addresses district issues associated with graffiti, evictions, tenant issues, pedestrian safety, etc.***
6. Provides monthly reports on status of district activities.
7. May assume lead responsibility for supervision of the unit.
8. Implement administrative responsibilities as assign.
9. Create and maintain web site for community resources.

MINIMUM QUALIFICATIONS:

1. Professional work experience in local, state or federal government administration.
2. A Masters Degree in Public Policy, Public Administration, or closely related field. Possession of a Bachelors degree with 2 years of related work experience may be substituted for the education requirement.
3. Ability to work independently and as part of a team.
4. Demonstrated skills in written and oral communications, including making oral presentations.
5. Proficient in Word, Excel, Access, PowerPoint, Lotus, e-mail and web.
6. Ability to work effectively with local governmental agencies.
7. Ability to work in a standard office environment and to make field visits. Ability to operate assigned equipment. ***Use of public transportation and or*** driving may be required. Non-traditional hours may also be required.
8. Ability to prioritize assignments, handles multi-tasks, and use independent decision making skills.
9. Provides excellent customer service.

Source: Clerk of the Board of Supervisors



CITY HALLS

BAYVIEW
Mondays: 9:30 to 11 a.m. Wednesdays: 5:30 to 7:30 p.m. Southeast Community Facility, 1800 Oakdale Avenue

BERNAL HEIGHTS
Tuesdays: 10 a.m. to noon Wednesdays: 5:30 to 7:30 p.m. Bernal Heights Library, 500 Cortland Ave. (near Mountie)

CHINATOWN
Mondays: 2 to 5 p.m. Wednesday: 5:30 to 7:30 p.m. Chinatown Library, 1135 Powell St.

OMI/EXCELSIOR
Mondays: 1 to 3 p.m. Excelsior Library, 4400 Mission St. (at Cotter)

MISSION
Wednesdays: 5:30 to 7:30 p.m. Mission Playground, 19th and Valencia streets

PRESIDIO
Tuesdays: 10 a.m. to noon Wednesdays: 5:30 to 7:30 p.m. Presidio Library, 3150 Sacramento St. (near Baker)

RICHMOND
Mondays: noon to 2 p.m. Wednesdays: 5:30 to 7:30 p.m. Anza Library, 550 37th Ave. (near Anza)

SUNSET
Mondays: 10 a.m. to noon Wednesdays: 5:30 to 7:30 p.m. Taraval Police Station, 2345 24th Ave.

Source: Department of Public Works

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Thursday, April 05, 2001 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 1:08 pm.

010212 **[Appointment]**

Hearing to consider appointing seven members to the Lead Hazard Reduction Citizens Advisory Committee.

7 Seats Being Considered:
Seat 1, succeeding Ellen Frost, must be an affordable housing developer, unexpired portion of 4-year term ending June 25, 2001;
Seat 5, succeeding Alice Bussiere, must represent child care, unexpired portion of 4-year term ending December 22, 2003;
Seat 11, succeeding Rebecca Graff, must represent tenant organization, new four-year term ending December 22, 2004;
Seat 14, succeeding Stephen Davis, must be lead testing expert, new 4-year term ending December 22, 2003;
Seat 16, succeeding Mitch Fine, must be financial expert, new 4-year term ending December 22, 2003;
Seat 19, ex-officio member, succeeding Donald Lanier, must represent US Environmental Protection Agency, new 4-year term ending December 22, 2003;
Seat 20, ex-officio member, succeeding Robert Nakamura, must represent CAL/OSHA, new 4-year term ending December 22, 2003.

2/1/01, CONTINUED TO CALL OF THE CHAIR. Divided from File 001799. Continued to the call of the chair.
2/2/01, RECEIVED AND ASSIGNED to Rules Committee.
3/15/01, CLERICAL CORRECTION to Rules Committee. Seat 11 added due to resignation.

Heard in Committee. Speakers: Ted Gulucksen.
(Seat 1, 5, 14, 16, 19, and 20 divided and continued to the call of the chair. See File No. 010658.)
DIVIDED.

Hearing to consider appointing one member to the Lead Hazard Reduction Citizens Advisory Committee.

1 Seat Being Considered:
Seat 11, succeeding Rebecca Graff, must represent tenant organization, new four-year term ending December 22, 2004.

Appointment of Ted Gulucksen, Seat 11, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Ted Gulucksen, term ending December 22, 2004, to the Lead Hazard Reduction Citizens Advisory Committee.

Ted Gulucksen, succeeding Rebecca Graff (term expired); Seat 11, must represent tenant organization, for a new four-year term ending December 22, 2004.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010658 **[Appointment]**
Hearing to consider appointing six members to the Lead Hazard Reduction Citizens Advisory Committee.

6 Seat Being Considered:
Seat 1, succeeding Ellen Frost, must be an affordable housing developer, unexpired portion of 4-year term ending June 25, 2001;
Seat 5, succeeding Alice Bussiere, must represent child care, unexpired portion of 4-year term ending December 22, 2003;
Seat 14, succeeding Stephen Davis, must be lead testing expert, new 4-year term ending December 22, 2003;
Seat 16, succeeding Mitch Fine, must be financial expert, new 4-year term ending December 22, 2003;
Seat 19, ex-officio member, succeeding Donald Lanier, must represent US Environmental Protection Agency, new 4-year term ending December 22, 2003;
Seat 20, ex-officio member, succeeding Robert Nakamura, must represent CAL/OSHA, new 4-year term ending December 22, 2003.

Divided from File No. 010212.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010522 **[Appointment]**
Hearing to consider appointing two members to the Mental Health Board.

2 Seat Being Considered:
Vacant Seat, succeeding Darwin Dias (term expired); Seat 12, must be a consumer, a new three-year term expiring January 31, 2003;
Vacant Seat, succeeding Toye Moses (term expired); Seat 15, must be a health professional, a new three-year term expiring January 31, 2004.

3/23/01, RECEIVED AND ASSIGNED to Rules Committee.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010523 **[Appointment]**
Resolution appointing Michele Rutherford, indefinite term, to the Children and Families Commission.

1 Seat Being Considered:
Michele Rutherford, succeeding Will Lightbourne (resigned); Seat No. 2, shall be General Manager of Human Services or his/her designee, indefinite term.

3/23/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Susan Latham, Executive Assistant, Children and Families Commission.

RECOMMENDED...

010444 [Appointment]

Hearing to consider appointing two members to the Sunshine Ordinance Task Force.

2 Seats Being Considered:
Seat 4, succeeding Marie Lorraine Mallare, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for a new two-year term ending April 27, 2003;
Seat 11, succeeding Sue Cauthen, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a new two-year term ending April 27, 2003.

3/7/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Marie Harrison; Sue Cauthen; Majorie Ann Williams; Ted Lakey, Deputy City Attorney; Christian Linenbach; Donna Hall, Administrator, Sunshine Ordinance Task Force; Gilbert Criswell; Maurice Cambell; male; Don Paul.
(Seat 11 divided and continued to the call of the chair. See File No. 010659.)

DIVIDED.

Hearing to consider appointing one member to the Sunshine Ordinance Task Force.

1 Seat Being Considered:
Seat 4, succeeding Marie Lorraine Mallare, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for a new two-year term ending April 27, 2003.

Appointment of Marie Harrison, Seat 4, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Marie Harrison, term ending April 27, 2004, to the Sunshine Ordinance Task Force.

Marie Harrison, succeeding Marie Lorraine Mallare (resigned); Seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for a new two-year term ending April 27, 2003.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010659 [Appointment]

Hearing to consider appointing one member to the Sunshine Ordinance Task Force.

1 Seat Being Considered:
Vacant Seat, succeeding Sue Cauthen (term expired); Seat 11, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a new two-year term ending April 27, 2003.

Divided from File No. 010444.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010261 **[Appointment]**

Hearing to consider appointing one member to the Assessment Appeals Board No. 1.

1 Seat Being Considered:
Seat 3, succeeding Ermelinda Trevino, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, unexpired portion of a three-year term expiring September 2, 2002.
2/7/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; John Devlin, Acting Administrator, Assessment Appeals Board; Thomas Ramm; Gilbert Criswell, Marilyn Cosentino; Davy Jones; Peter Fatooh, Commissioner, Assessment Appeals Board.
(Continued to May 17, 2001.)

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010396 **[Office of District Community Services]**

Supervisor Ammiano

Motion directing the Clerk of the Board of Supervisors to organize and staff an Office of District Community Services.
2/26/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.
(Continued to May 3, 2001.)

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010242 **[Public Utilities Commission]**

Supervisor Gonzalez

Hearing to discuss the appointment process, structure, and overall effectiveness of the San Francisco Public Utilities Commission.
2/5/01, RECEIVED AND ASSIGNED to Rules Committee.
3/15/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: none.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 2:29 pm.

City Hall
1 Dr. Carlton B.
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94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, April 12, 2001 **1:00 PM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano, Gerardo Sandoval.

Meeting Convened

The meeting convened at 1:04 pm.
(Supervisor Sandoval was appointed to the Rules Committee for the meeting of April 12, 2001.)

002032 **[Mission Campus expansion]**

Supervisor Ammiano

Hearing to consider the City College's expansion of Mission Campus into a site formerly known as the New Mission Theatre.

11/13/00, RECEIVED AND ASSIGNED to Finance and Labor Committee.

2/1/01, TRANSFERRED to Housing, Transportation and Land Use Committee. New committee structure.

3/26/01, TRANSFERRED to Economic Vitality, Small Business and Social Policy Committee.

4/5/01, TRANSFERRED to Rules Committee. April 5, 2001 transferred at the direction of the President; requesting a Special Rules Committee meeting on Thursday, April 12, 2001 at 1:00 p.m.

Heard in Committee. Speakers: Chancellor Day, City College of San Francisco; Jay Turnbell; Frank Fong; Rodel Rodese, Trustee, City College of San Francisco; Julio Ramos, Trustee, City College of San Francisco; Milton Marx, Trustee, City College of San Francisco; Nancy Chiraga; Will Shank; U.B. Morgan; Rosabella Sabon; Valarie Tullia; Anne Aguirre; Eric Casada; Sarah La Derge; Alice Carrey; Charlie Duncan, Architect, Carey and Co.; male; Tracy Brown; Sonya Voyan; Supervisor Peskin; Fernando Hernandez; Katherine Petrin; Bridget Maley; Carlota Delota; Judy Manke; Susan Lopez; Valerie Hancock; Sylvia Alvarez; William Walker; John Barbie; Don Andreni; Al Martinez; Al White; Tony Hines; Jim Rou; Supervisor Sandoval.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Gonzalez, Sandoval
Absent: 2 - Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 4:19 p.m.

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City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, April 19, 2001 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall.

Members Absent: Tom Ammiano.

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Meeting Convened

The meeting convened at 1:06 pm.

010655 [Appointment]
Hearing to consider appointing three members to the Bicycle Advisory Committee.

3 Seats Being Considered:
Vacant Seat, succeeding Victor Veysey, term expired, Seat 1, must represent the bicycle industry, a new three-year term expiring December 31, 2003;
Vacant Seat, succeeding Casey Allen, term expired, Seat 2, must represent an environmental organization, a new three-year term expiring December 31, 2003;
Vacant Seat, succeeding Alex Lantsberg, resigned, Seat 3, must represent an environmental organization, a new three-year term expiring December 31, 2003.
4/9/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Victor Veysey; Ted Lakey, Deputy City Attorney; Casey Allen.
(Seat 3 divided and continued to May 3, 2001. See File No. 010772.)
DIVIDED.

Hearing to consider appointing two members to the Bicycle Advisory Committee.

2 Seats Being Considered:
Vacant Seat, succeeding Victor Veysey, term expired, Seat 1, must represent the bicycle industry, a new three-year term expiring December 31, 2003;
Vacant Seat, succeeding Casey Allen, term expired, Seat 2, must represent an environmental organization, a new three-year term expiring December 31, 2003.

Appointment of Victor Veysey, Seat 1, and Casey Allen, Seat 2, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Victor Veysey and Casey Allen, terms ending December 31, 2003, to the Bicycle Advisory Committee.

Victor Veysey, succeeding himself, term expired, Seat 1, must represent the bicycle industry, a new three-year term ending December 31, 2003;
Casey Allen, succeeding himself, term expired, Seat 2, must represent an environmental organization, a new three-year term ending December 31, 2003.

RECOMMENDED.. by the following vote:
Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

010772 **[Appointment]**
Hearing to consider appointing one member to the Bicycle Advisory Committee.

1 Seat Being Considered:
Vacant Seat, succeeding Alex Lantsberg, resigned, Seat 3, must represent an environmental organization, a new three-year term expiring December 31, 2003.

Divided from File 010655. Continued to May 3, 2001.

CONTINUED by the following vote:
Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

010656 **[Appointment]**
Hearing to consider appointing four members to the Animal Control and Welfare Commission.

4 Seats Being Considered:
Vacant Seat, succeeding Chin Chi, term expired, Seat 3, must represent the public at large, a new two-year term expiring April 30, 2003;
Vacant Seat, succeeding Elissa Eckman, term expired, Seat 4, must represent the public at large, a new two-year term expiring April 30, 2003;
Vacant Seat, succeeding Cheryl Bentley, term expired, Seat 5, must represent the public at large, a new two-year term expiring April 30, 2003;
Vacant Seat, succeeding Richard Schulke, term expired, Seat 6, must represent the public at large, a new two-year term expiring April 30, 2003.

4/9/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Sherri Franklin; Elissa Eckman; Cheryl Bentley; Chin Chi; Christine Garcia; June Wilson; Richard Schulke; Gerry Crowley, Telegraph Hill Dwellers; Frederick Hobson, Commissioner, Animal Control and Welfare Commission; Bud Wilson; Daniel Cooper; Dan Dillen; Connie Champane.
(Elissa Eckman, Seat 3, June Wilson, Seat 4, Sherri Franklin, Seat 5, and Cheryl Bentley, Seat 6, recommended.)

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Elissa Eckman, June Wilson, Sherri Franklin, and Cheryl Bentley, terms ending April 30, 2003, to the Animal Control and Welfare Commission.

Elissa Eckman, succeeding Chin Chi, term expired, Seat 3, must represent the public at large, a new two-year term expiring April 30, 2003;
June Wilson, succeeding Elissa Eckman, term expired, Seat 4, must represent the public at large, a new two-year term expiring April 30, 2003;
Sherri Franklin, succeeding Cheryl Bentley, term expired, Seat 5, must represent the public at large, a new two-year term expiring April 30, 2003;
Cheryl Bentley, succeeding Richard Schulke, term expired, Seat 6, must represent the public at large, a new two-year term expiring April 30, 2003.

RECOMMENDED.. by the following vote:
Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

010522 [Appointment]
Hearing to consider appointing two members to the Mental Health Board.

2 Seats Being Considered:
Vacant Seat, succeeding Darwin Dias, term expired, Seat 12, must be a consumer, a new three-year term expiring January 31, 2003;
Vacant Seat, succeeding Toye Moses, term expired, Seat 15, must be a health professional, a new three-year term expiring January 31, 2004.
3/23/01, RECEIVED AND ASSIGNED to Rules Committee.
4/5/01, CONTINUED TO CALL OF THE CHAIR.

Heard in Committee. Speakers: Helynna Brooke, Administrator, Mental Health Board; Kathy Shook; Alex Kitzes; Robert Douglas; Dennis Yun; John Dorsey.
(Dennis Yun, Seat 12, and Alex Kitzes, Seat 15, recommended.)

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Dennis Yun, term expiring January 31, 2003, and Alex Kitzes, term ending January 31, 2004, to the Mental Health Board.

Dennis Yun, succeeding Darwin Dias, term expired, Seat 12, must be a consumer, a new three-year term expiring January 31, 2003;
Alex Kitzes, succeeding Toye Moses, term expired, Seat 15, must be a health professional, a new three-year term expiring January 31, 2004.

RECOMMENDED.. by the following vote:
Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

010404 **[Appointment]**

Hearing to consider appointing two members to the Drug Abuse Advisory Board.

2 Seats Being Considered:
Vacant Seat, succeeding Irene Sung, Seat 11, must represent the public at large, for the unexpired portion of a three-year term ending October 1, 2001;
Vacant Seat, succeeding Robert Elliott, resigned, seat 12, must represent the public at large or a service provider, unexpired portion of a three-year term ending October 1, 2003.

3/15/01, RECEIVED AND ASSIGNED to Rules Committee.

3/28/01, CLERICAL CORRECTION to Rules Committee. Seat 12 added due to resignation.

Heard in Committee. Speakers: Duru Earnest Chidi; Vanessa Padilla; Ted Lakey, Deputy City Attorney; Pam Ernst; Lavita Daniel; Danita Mathis, Administrator, Drug Abuse Advisory Board; Frederick Hobson. (Appointment of Vanessa Padilla (residency requirement waived), seat 11, and Lavita Daniel, seat 12, recommended.)

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Vanessa Padilla, term ending October 1, 2001, and Lavita Daniel, term ending October 1, 2003, to the Drug Abuse Advisory Board; residency requirement waived.

Vanessa Padilla (residency requirement waived), succeeding Irene Sung, Seat 11, must represent the public at large, for the unexpired portion of a three-year term ending October 1, 2001;
Lavita Daniel, succeeding Robert Elliott, resigned, seat 12, must represent the public at large or a service provider, unexpired portion of a three-year term ending October 1, 2003.

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

002065 **[Asthma Task Force]**

Supervisor Maxwell

Ordinance amending Chapter 19A of the San Francisco Administrative Code by adding Article 11 to establish an Asthma Task Force.

11/20/00, RECEIVED AND ASSIGNED to Audit and Government Efficiency Committee.

2/1/01, TRANSFERRED to Rules Committee. New committee structure.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Greg Asay, Legislative Aide, Supervisor Maxwell; Dee Miller; Rasiv Bhatia; Megan Webb; Kathy Perry.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Further amended on page 5, line 4, after the words "resolution prior to" delete "June 30, 2002" and add "June 30, 2003".

AMENDED.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

ADJOURNMENT

The meeting adjourned at 3:57 pm.

[Budget Analyst Report]
Susan Hom
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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

April 26, 2001

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TO: Rules Committee

FROM: Budget Analyst

SUBJECT: May 3, 2001 Rules Committee Meeting

Item 4 - File 01-0396

Note: This item was continued by the Rules Committee at its meeting of April 5, 2001

Department: Board of Supervisors

Item: Motion directing the Clerk of the Board of Supervisors to organize and staff a new Office of District Community Services to provide information, advice and services to the residents of the City's 11 Supervisorial Districts.

Description: The proposed motion would direct the Clerk of the Board of Supervisors to create an Office of District Community Services, which would function under the direction of the Clerk of the Board of Supervisors and provide information, advice and services to residents of San Francisco.

According to Ms. Gloria Young, the Clerk of the Board of Supervisors, the proposed Office of District Community Services is still in the planning stages. The subject motion states that the "Clerk of the Board shall supervise the creation of the Office, including its physical location, telephone and computer needs, staffing, and budget." To this end, as directed by the subject motion, the Clerk of the Board of Supervisors is to oversee the drafting and

submission to the Board of Supervisors of all legislation necessary to implement the new office. Ms. Young advises that such legislation would include an appropriation ordinance and a salary ordinance to create any new positions, both of which would be subject to Board of Supervisors approval.

Ms. Young advises that she is currently working with the Department of Human Resources to develop positions and salary ranges for the employees that would staff the proposed new Office of District Community Services. According to Ms. Young, the Office of District Community Services would employ a total of six employees. Five of these employees would each be assigned to oversee two of the 11 Supervisorial Districts, covering a total of 10 of the 11 Supervisorial Districts. The sixth employee would oversee the remaining one Supervisorial District and would also serve as the lead staff person of the new Office of District Community Services. Under the subject motion, the Clerk of the Board of Supervisors would be the Appointing Officer for such employees of the Office of District Community Services. Attachment I, provided by Ms. Young, contains a job description for the six proposed employees of the Office of District Community Services.

The proposed motion states that these staff positions would serve the Supervisorial Districts by "responding to resident telephone calls, e-mail and letters seeking information and advice on City and other governmental services, organizing town hall meetings related to issues of interest to the district, acting as a liaison between district residents and City government, and preparing reports addressing district issues." In addition, "the Office shall develop a centralized computer database of information about City and other governmental and non-profit services, and shall provide information for the City's website," as stated in the subject motion.

The Budget Analyst notes that there will be additional costs to renovate existing space within City Hall to accommodate the proposed six new positions, which are not included in the proposed budget shown below (see Comment No. 3). Furthermore, Ms. Young advises that the proposed six new positions of the Office of District

Community Services would be responsible for staffing any task forces created by the Board of Supervisors (e.g. Live-Work Task Force and the Transgender Task Force).

The subject motion directs the Clerk of the Board of Supervisors to report back to the Board of Supervisors on the progress of organizing and staffing the Office of District Community Services within 30 days after the subject motion is approved. Ms. Young anticipates that new employees would be hired and the proposed Office of District Community Services would begin operating by July 1, 2001, or the beginning of Fiscal Year 2001-2002. Approval of the necessary funding would be brought to the Board of Supervisors for Fiscal Year 2000-2001 in a supplemental appropriation.

Budget:

An estimated budget for the proposed Office of District Community Services, provided by Ms. Young, is shown in the table below. The monies needed to fund such costs would be subject to separate appropriation approval by the Board of Supervisors.

Estimated Budget for Proposed Office of District Community Services	Amount
Estimated Annual Budget	
Personnel	
Salaries (Classification to be Determined, 6.0 FTE @ $42,334 each, 5th Step)	$254,004
Mandatory Fringe Benefits ($10,583.50 each @ 25 percent)	63,501
Subtotal Personnel	**$317,505**
Materials & Supplies (5 percent of Salaries)	12,700
Non-Personnel Services (Estimated Equipment Maintenance & Technology and Information Services)	25,000
Subtotal Estimated Annual Budget	**$355,205**
Estimated One-Time Start Up Costs	
Equipment	
Desks (5 @ $640 each)*	3,200
Desk Returns for Computers (5 @ $820 each)*	4,100
Lateral Files (2 @ $510 each)	1,020
Furniture Pick up, Delivery & Installation Charges	12,000
Construction Costs (See Comment No. 3)	**
Subtotal Estimated One-Time Start Up Costs	**$20,320**
Estimated Total Costs	**$375,525**

* Only five desks and desk returns would be required because the sixth staff person would occupy an existing space, which already has a desk, in the Administrative Office of the Clerk of the Board of Supervisors, according to Ms. Young.

Source of Funds:

To fund the one-time start-up costs of the proposed Office of District Community Services, shown in the above budget, Ms. Young anticipates using existing General Fund monies in the Board of Supervisors' Fiscal Year 2000-2001 budget, previously used to fund a third aide for the each Supervisor, resulting in 11 "Constituent Liaison" positions (1364 Special Assistant V position) eliminated on January 8, 2001, in accordance with previous legislation approved by the Board of Supervisors, including a Supplemental Appropriation and a Salary Ordinance (Files 101-97-9 and 102-97-3) that created and initially funded these 11 positions. Proposition B, which would have restored the third aide, failed in the November 7, 2000 election. Ms. Young advises that the Board of Supervisors included a total of $621,647 in its budget for Fiscal Year 2000-2001 to fund a full year of employing such 11 positions, including $497,311 in salaries and $124,336 in mandatory fringe benefits. Therefore, of this $621,647, the Board of Supervisors placed on reserve $304,796 during the budget review for Fiscal Year 2000-2001, including $239,108 in salaries and $65,688 in mandatory fringe benefits, for the approximately six months after the 11 positions were eliminated, from January 8, 2001 to June 30, 2001, the end of Fiscal Year 2000-2001. Ms. Young advises that she will request the release of such reserved funds from the Finance Committee later in Fiscal Year 2000-2001 to fund the one-time start-up costs associated with the proposed Office of District Community Services. For Fiscal Year 2001-2002, the Clerk of the Board of Supervisors will request that the Board of Supervisors approve the necessary continuing General Fund monies to operate the new Office of District Community Services.

Comments:

1. The subject motion states, "The implementation of district elections for supervisors in the City and County of San Francisco has caused a significant increase in the number of requests for information, advice and service to the Board of Supervisors from residents in the 11

districts." Ms. Young advises that, according to the Board of Supervisors, the two aides (1835 Legislative Assistants) currently assigned to each member of the Board of Supervisors do not provide sufficient staff to handle this increased workload. As stated above, each member of the Board of Supervisors previously was assigned three staff members, until the 11 "Constituent Liaisons" (1364 Special Assistant V) were eliminated on January 8, 2001, as stipulated by the Supplemental Appropriation and Salary Ordinances (Files 101-97-9 and 102-97-3).

2. As shown in the above budget, Ms. Young estimates that the proposed Office of District Community Services would have on-going annual costs of approximately $355,205 subject to annual appropriation approval by the Board of Supervisors.

3. Ms. Young advises that one of the six proposed new staff members would occupy an existing space in the Administrative Offices of the Clerk of the Board of Supervisors. The Clerk of the Board of Supervisors would renovate the existing Training Facility in City Hall, Room 277, to house the remaining five employees. Because creation of the Office of District Community Services is still in the planning stage, Ms. Young has not yet compiled a cost estimate for such renovations. According to Ms. Young, the Training Facility in Room 277 is currently used to provide computer training to staff of the Clerk of the Board of Supervisors, including Aides assigned to Supervisors. Ms. Young advises that her Office is working to arrange use of an alternative computer training site in City Hall to replace Room 277.

4. The Mayor's Office has its own Office of Neighborhood Services. According to its website:

> "The Office of Neighborhood Services is the public's primary point of contact with the Mayor and City government. The office coordinates the efforts of City departments to better serve the public. It acts as a liaison between the City's neighborhoods and City government to assure the voice of the neighborhood is heard, and neighborhood problems and concerns are

effectively handled. The Office of Neighborhood Services also organizes regular 'Open Door Days,' which allow residents to bring their concerns directly to the Mayor."

According to Mr. Bevan Duffy of the Mayor's Office, the Mayor's Office of Neighborhood Services, located in City Hall, currently employs 15 full-time staff members, 11 of which are assigned to oversee one Supervisorial District each. Mr. Duffy advises that staff from the Mayor's Office of Neighborhood Services also attend three of the Neighborhood City Halls, discussed below, hold monthly meetings in public housing facilities to address residents' concerns, and hold Quality of Life Meetings one to three times a month throughout the City to provide residents with access to City department representatives.

In addition, the Department of Public Works (DPW), coordinating with the Mayor's Office of Neighborhood Services, organizes eight Neighborhood City Halls, which are located throughout San Francisco to provide opportunities for residents to speak directly with City representatives. Mr. Alex Mamak of DPW advises that such Neighborhood City Halls were designed to provide residents with assistance and information about City-related issues, such as street cleaning, graffiti removal, traffic and parking problems, MUNI and public safety. According to Mr. Mamak, such Neighborhood City Halls are generally staffed by employees from the Mayor's Office, the Department of City Planning, and/or the Department of Parking and Traffic. Attachment II, provided by DPW, shows the locations of the Neighborhood City Halls and a recent schedule of operation of these Neighborhood City Halls. Mr. Mamak advises that seven out of the eight Neighborhood City Halls listed in Attachment II are currently operating. The location in the Mission is not currently open, due to a low response rate from the neighborhoods, limited funding and logistical difficulties of recruiting staff, according to Mr. Mamak.

5. In summary, estimated known one-time start-up costs for the new Office of District Community Services are approximately $20,320. However, because creation of the Office of District Community Services is still in the

planning stage, additional one-time renovation costs may be required for the proposed office in City Hall. Such additional one-time costs have not yet been estimated. Estimated annual operating costs for the new Office of District Community Services, including six new positions, are $355,205. Any additional costs required for the proposed six new positions to spend time in facilities outside of City Hall, such as costs for travel, materials and supplies, have not been included in the estimated annual budget shown above.

Recommendation: Approval of the proposed motion is a policy matter for the Board of Supervisors.

Office of District Community Services

Job Title Suggestions:

(1) Community Services Officer
(2) Community Services Representative, or
(3) Community Services Liaison

JOB DESCRIPTION

This position works under the direction of the Clerk of the Board or his/her designed. The duties of the Community Services Officer or Assistant position include:

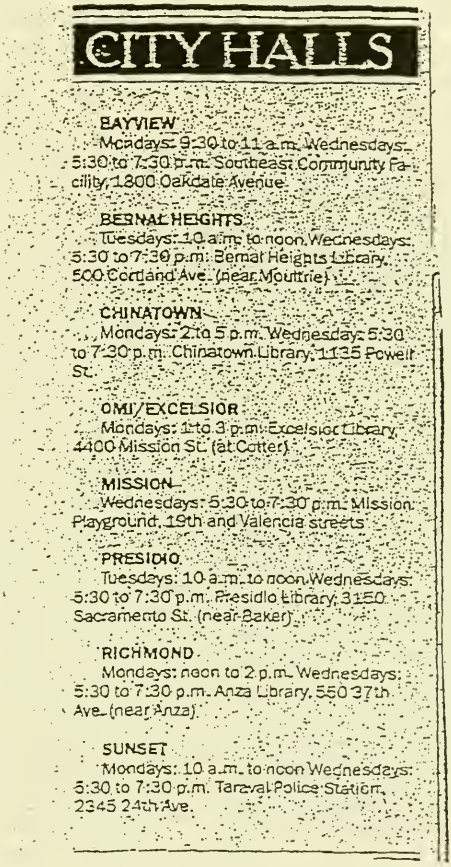
PRINCIPAL DUTIES:

1. Attend, convene and may provide staff support at *task force* and/or town hall meetings related to general issues or projects of interest to the district(s) communities, including, but not limited to note taking and posting notices of the meetings.
2. Collaborate with other community assistants and/or non-profits, to develop citywide resource center information, shared resources, and specific district information hotlines or referrals.
3. Responds to e-mails, letters, faxes and other forms of communication.
4. Acts as a liaison between the City government and the 11 districts.
5. Gathers data, conducts research, and prepares reports as requested which addresses district issues associated with graffiti, evictions, tenant issues, pedestrian safety, etc.
6. Provides monthly reports on status of district activities.
7. May assume lead responsibility for supervision of the unit.
8. Implement administrative responsibilities as assign.
9. Create and maintain web site for community resources.

MINIMUM QUALIFICATIONS:

1. Some professional work experience desired.
2. Possession of an AA degree with 2 years of related work experience may be substituted for the education requirement.
3. Ability to work independently and as part of a team.
4. Demonstrated skills in written and oral communications, including making oral presentations.
5. Proficient in Word, Excel, Access, PowerPoint, Lotus, e-mail and web.
6. Ability to work effectively with local governmental agencies.
7. Ability to work in a standard office environment and to make field visits. Ability to operate assigned equipment. Use of public transportation and or driving may be required. Non-traditional hours may also be required.
8. Ability to prioritize assignments, handles multi-tasks, and use independent decision making skills.
9. Provides excellent customer service.

Source: Clerk of the Board of Supervisors



CITY HALLS

BAYVIEW
Mondays: 9:30 to 11 a.m. Wednesdays: 5:30 to 7:30 p.m. Southeast Community Facility, 1800 Oakdale Avenue.

BERNAL HEIGHTS
Tuesdays: 10 a.m. to noon Wednesdays: 5:30 to 7:30 p.m. Bernal Heights Library, 500 Cortland Ave. (near Mouttrie).

CHINATOWN
Mondays: 2 to 5 p.m. Wednesdays: 5:30 to 7:30 p.m. Chinatown Library, 1135 Powell St.

OMI/EXCELSIOR
Mondays: 1 to 3 p.m. Excelsior Library, 4400 Mission St. (at Cotter).

MISSION
Wednesdays: 5:30 to 7:30 p.m. Mission Playground, 19th and Valencia streets.

PRESIDIO
Tuesdays: 10 a.m. to noon Wednesdays: 5:30 to 7:30 p.m. Presidio Library, 3150 Sacramento St. (near Baker).

RICHMOND
Mondays: noon to 2 p.m. Wednesdays: 5:30 to 7:30 p.m. Anza Library, 550 37th Ave. (near Anza).

SUNSET
Mondays: 10 a.m. to noon Wednesdays: 5:30 to 7:30 p.m. Taraval Police Station, 2345 24th Ave.

Source: Department of Public Works

Item 7 – File 01-0009

Department: Police Department

Item: Ordinance amending Chapter 10B, Section 10B.2, of the Administrative Code to reinstate an Administrative Overhead Fee.

Description: Currently, Section 10B.2 of the City's Administrative Code requires that a person, corporation, firm, or organization requesting City Police services for a special event reimburse the Police Department for the cost of the services provided, including the rate of pay for the uniformed officers performing the services, and the cost of equipment and materials expended. The costs charged to the sponsors of the special event reimburse the Police Department for the expenditures incurred by the Department and are deposited in a special restricted fund, designated as the Special Law Enforcement Services (SLES) Fund.

The proposed ordinance would amend Section 10B.2 to require that the party requesting Police services must also pay to the City's General Fund, in addition to reimbursing the Police Department for the costs of the Department's services, an Administrative Overhead Fee equal to 15 percent of the cost of the Police services for the special event. Under the proposed ordinance, the Board of Supervisors would be authorized to waive this 15 percent Administrative Overhead Fee upon demonstration that paying the fee would be a hardship on the party requesting the Police services. The subject ordinance explicitly states that only the Board of Supervisors, and not the Police Department, would have such authority to waive the Administrative Overhead Fee.

The proposed ordinance would continue to require that the cost of the City's Police services for a special event be based on the actual rate of pay for the Uniformed Officers performing the services, including overtime if necessary, and the other actual costs incurred by the Police Department for the special events, such as equipment and materials.

Comments:

1. According to Captain John Goldberg of the Police Department, during FY 1999-2000 the Police Department was reimbursed for a total of $6,547,467 in costs charged to parties requesting Police Department Services.[1] Based on that FY 1999-2000 amount of $6,547,467, the Police Department would collect an additional estimated $982,120 annually if the proposed 15 percent Administrative Overhead Fee were imposed. As previously noted, all of the proposed Administrative Overhead Fee would be deposited into the City's General Fund.

2. As stated previously, the City Administrative Code, Section 10B.2, currently authorizes the Police Department to charge third parties requesting City Police services for the actual rate of pay for the Uniformed Officers performing the services, including overtime if necessary, and the other actual costs incurred by the Police Department for the special events, such as equipment and materials. Currently, the Administrative Code does not include provisions for charging for administrative costs, such as payroll, billing the third parties, management oversight and the Controller's processing services. According to Captain Goldberg, the Police Department does not charge third parties for the administrative costs to the Police Department of providing such services. Instead, the Police Department absorbs such administrative costs in the Department's annual budget.

According to the Office of the Sponsor of the proposed ordinance, proceeds from the proposed 15 percent Administrative Overhead Fee would reimburse the City's General Fund for monies already provided in the Police Department's annual budget to cover the administrative overhead costs incurred from providing City Police services to third parties, such payroll, billing the third parties, management oversight and the Controller's processing services.

[1] This amount of $6,547,467 in fees charged to parties requesting Police Department Services does not include an additional $297,105 charged to parties during Fiscal Year 1999-2000 under the prior 22.5 percent Administrative Overhead Fee, eliminated in January of 2000 and discussed in Comment No. 2.

3. Captain Goldberg advises that the Police Department generally does not charge third parties requesting City Police Services for the cost of equipment and materials expended, even though the Department is authorized to do so by the Administrative Code, Section 10B.2, because the Department has no mechanism for determining such costs.[2] The Budget Analyst recommends that the proposed ordinance be amended to require the Police Department to develop a mechanism for charging third parties for such equipment and materials costs, in order to ensure that the Police Department recovers all costs that result from providing such City Police services. In addition, the Budget Analyst recommends that the Police Department be required to provide to the Board of Supervisors with a report by August 1, 2001 that outlines how the Police Department plans to charge third parties for additional equipment and material costs resulting from providing City Police services to third parties.

4. In January of 2000, the Board of Supervisors eliminated a similar 22.5 percent Administrative Overhead Fee in an effort to change what had been the ad hoc nature of the special events cost recovery and to ensure that all organizations requesting City Police services under Section 10B were treated equally, as discussed below. The Office of the Sponsor is now proposing, with this ordinance, to reinstate a 15 percent Administrative Overhead Fee, instead of a 22.5 percent fee, to ensure that the City recovers the Police Department's administrative overhead costs of providing City Police services to third parties. In addition, in August of 2000, the San Francisco Civil Grand Jury issued a report recommending that the City recover such overhead costs by reinstating the Police Department's Administrative Overhead Fee. The Office of the Sponsor has proposed an Administrative Overhead Fee level of 15 percent based on recommendations from the Police Department, which were reported by the Budget Analyst in January of 2000.[3]

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[2] Captain Goldberg advises that the Police Department does charge third parties for equipment costs if the third party requests the use of special equipment, such as the Police Department's boat.

[3] The 15 percent estimate of Police Department overhead costs accounts for overhead costs resulting from when the Board of Supervisors waives the fees to be paid for certain events

5. In the Police Department Management Audit prepared by the Budget Analyst's Office in December of 1996, the Budget Analyst found that the Police Department: (a) had waived payment of Administrative Overhead Fees for several organizations, such as the San Francisco 49ers, the San Francisco Giants, and movie production companies, without authorization from the Board of Supervisors, and (b) had not transferred Administrative Overhead Fees to the General Fund. Rather, the Police Department had retained such fees in the Special Law Enforcement Services (SLES) Fund.[4]

6. Subsequently, in 1999 the Controller conducted an audit of the Police Department's practice of collecting fees for providing Police services for special events.[5] In the Controller's report, which was completed in November of 1999, the Controller found that, although the Police Department generally charged the direct costs correctly for providing City Police for special events, the Police Department did not charge the 22.5 percent Administrative Overhead Fees to all the organizations to which it provided such services. The Budget Analyst notes that the proposed ordinance would require the Police Department to apply the proposed 15 percent Administrative Overhead Fee to all parties requesting Police Department Services under Section 10B. The proposed ordinance does not authorize the Police Department to waive the 15 percent administrative fee, although the ordinance does provide such wavier authorization to the Board of Supervisors.

7. Additionally, the Controller found that, when the Police Department did collect the 22.5 percent Administrative Overhead Fees, the Department did not deposit such fees into the General Fund, but instead deposited the fees into the SLES Fund. According to the Controller's report, the Administrative Overhead Fees were deposited into the

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and resulting from third parties that fail to reimburse the Police Department for City Police services provided, which the Police Department must absorb.

[4] Management Audit of the San Francisco Police Department, Phase I, prepared by the Office of the Budget Analyst, December, 1996.

[5] "The San Francisco Police Department: The Department Has Not Charged All Organizations the Required Administrative Overhead for the Special Security Services It Provides," prepared by the Office of the Controller, November 2, 1999.

SLES Fund and were then used to pay for the Police Department's use of overtime, which was not subject to appropriation approval by the Board of Supervisors, instead of being available for other General Fund purposes of the City.

8. To ensure that revenue generated from the proposed 15 percent Administrative Overhead Fee is deposited into the City's General Fund, the Office of the Sponsor plans to introduce a substitute ordinance at the May 3, 2001 meeting of the Rules Committee to require that the proposed 15 percent Administrative Overhead Fee be deposited into the General Fund as an unappropriated balance, instead of into the SLES Fund. In addition, the proposed substitute ordinance would require that the Police Department provide to the Controller's Office a semi-annual report outlining all fees charged to third parties who requested City Police services, including the proposed 15 percent Administrative Overhead Fee.

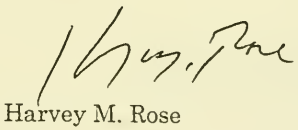
Recommendations:

1. Amend the proposed ordinance to require that the Police Department develop a mechanism for charging third parties for all equipment and materials costs resulting from providing City Police services to sponsors of special events, in accordance with Comment No. 3 above.

2. Amend the proposed ordinance to require that the Police Department provide the Board of Supervisors with a report by August 1, 2001 that outlines how the Police Department plans to charge third parties for equipment and material costs resulting from providing City Police services to third parties, in accordance with Comment No. 3 above.

3. Approve the proposed ordinance, as amended.

Memo to Rules Committee
May 3, 2001 Rules Committee Meeting



Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Stephen Kawa

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, May 03, 2001 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

The meeting convened at 1:08 pm.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

The matter relating to Payment for services of Police Officers, File 010009. (See infra.)

Supervisor Ammiano indicated the matter relating to the Office of District Services, File 010396. (See infra.)

REGULAR AGENDA

010659 **[Appointment]**
Hearing to consider appointing one member to the Sunshine Ordinance Task Force.

1 Seat Being Considered:
Vacant Seat, succeeding Sue Cauthen, term expired, Seat 11, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a new two-year term ending April 27, 2003.
4/5/01, CONTINUED TO CALL OF THE CHAIR Divided from File No. 010444.
4/9/01, RECEIVED AND ASSIGNED to Rules Committee.
Heard in Committee. Speakers: Hilda Bernstein; Gilbert Criswell; James Lew; Henry Coleman; Debra Walker; Courtnie Carlson; Reginald Forest.

Marjorie Ann Williams, Seat 11, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Marjorie Ann Williams, term ending April 27, 2003, to the Sunshine Ordinance Task Force.

Marjorie Ann Williams, succeeding Sue Cauthen, term expired, Seat 11, must be a member of the public who has demonstrated interest in or has experience in the issues of citizen access and participation in local government, for a new two-year term expiring April 27, 2003.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010772 **[Appointment]**
Hearing to consider appointing one member to the Bicycle Advisory Committee.

1 Seat Being Considered:
Vancant seat, succeeding Alex Lantsberg, resigned, Seat 3, must represent an environmental organization, a new three-year term expiring December 31, 2003.
4/19/01, CONTINUED. Divided from File 010655. Continued to May 3, 2001.
Heard in Committee. Speakers: Marc Salomon; Nino Parker; Michael Nolty; Gilbert Criswell; Ken Holstein.

Nino Parker, Seat 3, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.
Resolution appointing Nino Parker, term ending December 31, 2003, to the Bicycle Advisory Committee.

Nino Parker, succeeding Alex Lantsberg, resigned, Seat 3, must represent an environmental organization, a new three-year term expiring December 31, 2003.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010485 **[Appointment]**

Hearing to consider appointing eighteen members to the Hospital and Nursing Home Discharge Planning Task Force.

18 Seats Being Considered:
Vacant seat, initial appointment, Seat 1, must represent the Department of Public Health, indefinite term;
Vacant seat, initial appointment, Seat 2, must represent the Department of Human Services, indefinite term;
Vacant seat, initial appointment, Seat 3, must represent the Mayor's Office of Disability, indefinite term;
Vacant seat, initial appointment, Seat 4, must represent the Department of Aging and Adult Services, indefinite term;
Vacant seat, initial appointment, Seat 5, must represent the IHSS Public Authority, indefinite term;
Vacant seat, initial appointment, Seat 6, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumers, indefinite term;
Vacant seat, initial appointment, Seat 7, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumers, indefinite term;
Vacant seat, initial appointment, Seat 8, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumers, indefinite term;
Vacant seat, initial appointment, Seat 9, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumer, indefinite term;
Vacant seat, initial appointment, Seat 10, must belong to an advocacy organization serving seniors and persons with disabilities, indefinite term;
Vacant seat, initial appointment, Seat 11 must belong to an advocacy organization serving seniors and persons with disabilities, indefinite term;
Vacant seat, initial appointment, Seat 12, must be from Social Workers in Senior Housing or another group representing social workers serving seniors and people with disabilities, indefinite term;
Vacant seat, initial appointment, Seat 13, must be a hospital discharge planner, indefinite term;
Vacant seat, initial appointment, Seat 14, must be from a labor union representing health care workers serving seniors and people with disabilities, indefinite term;
Vacant seat, initial appointment, Seat 15, must represent private (profit or non-profit) hospitals, indefinite term;
Vacant seat, initial appointment, Seat 16, must represent a skilled nursing facility, indefinite term;
Vacant seat, initial appointment, Seat 17, must represent home care service providers, indefinite term;
Vacant seat, initial appointment, Seat 18, must represent home care service providers, indefinite term.
3/15/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Anthony Wagner; Linda Samsom; Donna Calame; Alicia Duke; Bruce Allison; Dorothy Kerr; Ruth Miller; Abby Kovalsky; Benson Nadel; Sarah Lee; Walter DeVaughn; Penney Mitchell; Daniel Martin; Cecilia London; Margine Sako.

(Anthony Wagner, Seat 1; Anthony Nicco, Seat 2; Walter Park, Seat 3; Linda Samsom (residency requirement waived), Seat 4; Donna Calame, Seat 5; Alicia Duke, Seat 6; Bruce Allison, Seat 7; Dorothy Kerr, Seat 8; Ruth Miller, Seat 9; Abby, Kovalsky, Seat 10; Benson Nadel (residency requirement waived), Seat 11; Walter DeVaughn, Seat 12; Penney Mitchell (residency requirement waived), Seat 13; Daniel Martin (residency requirement waived), Seat 14; Ronald Smith, Seat 15; Sarah Lee, Seat 16; Cecilia London, Seat 17; and Margine Sako, Seat 18; recommended.)

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Anthony Wagner, Anthony Nicco, Walter Park, Linda Samsom, Donna Calame, Alicia Duke, Bruce Allison, Dorothy Kerr, Ruth Miller, Abby Kovalsky, Benson Nadel, Walter DeVaughn, Penney Mitchell, Daniel Martin, Ronald Smith, Sarah Lee, Cecilia London, and Margine Sako, indefinite terms, to the Hospital and Nursing Home Discharge Planning Task Force; waiving residency requirement.

Anthony Wagner, initial appointment, Seat 1, must represent the Department of Public Health, indefinite term;
Anthony Nicco, initial appointment, Seat 2, must represent the Department of Human Services, indefinite term;
Walter Park, initial appointment, Seat 3, must represent the Mayor's Office of Disability, indefinite term;
Linda Samsom (residency requirement waived), initial appointment, Seat 4, must represent the Department of Aging and Adult Services, indefinite term;
Donna Calame, initial appointment, Seat 5, must represent the IHSS Public Authority, indefinite term;
Alicia Duke, initial appointment, Seat 6, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumers, indefinite term;
Bruce Allison, initial appointment, Seat 7, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumers, indefinite term;
Dorothy Kerr, initial appointment, Seat 8, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumers, indefinite term;
Ruth Miller, initial appointment, Seat 9, must be from the Health Care Action Team (HAT) representing Medi-Cal and Non-Medi-Cal health care consumers, indefinite term;
Abby Kovalsky, initial appointment, Seat 10, must belong to an advocacy organization serving seniors and persons with disabilities, indefinite term;
Benson Nadel, initial appointment, Seat 11 must belong to an advocacy organization serving seniors and persons with disabilities, indefinite term;
Walter DeVaughn, initial appointment, Seat 12, must be from Social Workers in Senior Housing or another group representing social workers serving seniors and people with disabilities, indefinite term;
Penney Mitchell (residency requirement waived), initial appointment, Seat 13, must be a hospital discharge planner, indefinite term;
Daniel Martin (residency requirement waived), initial appointment, Seat 14, must be from a labor union representing health care workers serving seniors and people with disabilities, indefinite term;
Ronald Smith, initial appointment, Seat 15, must represent private (profit or non-profit) hospitals, indefinite term;
Sarah Lee, initial appointment, Seat 16, must represent a skilled nursing facility, indefinite term;
Cecilia London, initial appointment, Seat 17, must represent home care service providers, indefinite term;
Margine Sako, initial appointment, Seat 18, must represent home care service providers, indefinite term.

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

010714 [Appointment]
Hearing to consider appointing ten members to the Live/Work Task Force.

10 Seats Being Considered:
Vacant Seat, new appointment, Seat 1, must be a representative of neighborhood organizations representing supervisorial district 6, for a new term ending June 30, 2001;
Vacant Seat, new appointment, Seat 2, must be a representative of neighborhood organizations representing supervisorial district 9, for a new term ending June 30, 2001;
Vacant Seat, new appointment, Seat 3, must be a representative of neighborhood organizations representing supervisorial district 10, for a new term ending June 30, 2001;
Vacant Seat, new appointment, Seat 4, must be a representative of a business association, for a new term ending June 30, 2001;
Vacant Seat, new appointment, Seat 5, must be a representative of organized labor, for a new term ending June 30, 2001;
Vacant Seat, new appointment, Seat 6, must be a representative of an urban planning association, for a new term ending June 30, 2001;
Vacant Seat, new appointment, Seat 7, must be a representative of an affordable housing organization, for a new term ending June 30, 2001;
Vacant Seat, new appointment, Seat 8, must be a representative of a tenant organization, for a new term ending June 30, 2001;
Vacant Seat, new appointment, Seat 9, must be a representative who is an artist or represents an arts organization, for a new term ending June 30, 2001;
Vacant Seat, new appointment, Seat 10, must be a representative who is a residential builder, for a new term ending June 30, 2001.
4/16/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jim Berk; James Meko; Eric Quezada; Carlos Romero; Stanley Warren; Kyle Fiore; Tom Radulovich; Robert Haaland; Chrisi Keefer; Michael Strausz; Ted Lakey, Deputy City Attorney; Michael Noltie; Andrew Woods; Ellen Robinson; Gilbert Criswell.

(James Meko, Seat 1; Eric Quezada, Seat 2; Janet Carpinelli, Seat 3; Jamie Rossi, Seat 4; Stanley Warren (residency requirement waived), Seat 5; Tom Radulovich, Seat 6; Carlos Romero (residency requirement waived), Seat 7; Robert Haaland, Seat 8; Debra Walker, Seat 9; and Michael Strausz, Seat 10; recommended.)
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing James Meko, Eric Quezada, Janet Carpinelli, Jamie Rossi, Stanley Warren, Tom Radulovich, Carlos Romero, Robert Haaland, Debra Walker, and Michael Strausz, terms ending June 30, 2001, to the Live/Work Task Force; residency requirement waived.

James Meko, new appointment, Seat 1, must be a representative of neighborhood organizations representing supervisorial district 6, for a new term ending June 30, 2001;
Eric Quezada, new appointment, Seat 2, must be a representative of neighborhood organizations representing supervisorial district 9, for a new term ending June 30, 2001;
Janet Carpinelli, new appointment, Seat 3, must be a representative of neighborhood organizations representing supervisorial district 10, for a new term ending June 30, 2001;
Jamie Rossi, new appointment, Seat 4, must be a representative of a business association, for a new term ending June 30, 2001;
Stanley Warren (residency requirement waived), Vacant Seat, new appointment, Seat 5, must be a representative of organized labor, for a new term ending June 30, 2001;
Tom Radulovich, new appointment, Seat 6, must be a representative of an urban planning association, for a new term ending June 30, 2001;
Carlos Romero (residency requirement waived), new appointment, Seat 7, must be a representative of an affordable housing organization, for a new term ending June 30, 2001;
Robert Haaland, new appointment, Seat 8, must be a representative of a tenant organization, for a new term ending June 30, 2001;
Debra Walker, new appointment, Seat 9, must be a representative who is an artist or represents an arts organization, for a new term ending June 30, 2001;
Michael Strausz, new appointment, Seat 10, must be a representative who is a residential builder, for a new term ending June 30, 2001.

Supervisor Ammiano requested that a motion also be prepared to make appointments to the Live/Work Task Force. The City Attorney's Office will review the issue and determine if the appointments are to be made via resolution or motion. See File 010879.

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

010879 **[Appointments]**

Motion appointing James Meko, Eric Quezada, Janet Carpinelli, Jamie Rossi, Stanley Warren, Tom Radulovich, Carlos Romero, Robert Haaland, Debra Walker, and Michael Strausz, terms ending June 30, 2001, to the Live/Work Task Force; residency requirement waived.

James Meko, new appointment, Seat 1, must be a representative of neighborhood organizations representing supervisorial district 6, for a new term ending June 30, 2001;
Eric Quezada, new appointment, Seat 2, must be a representative of neighborhood organizations representing supervisorial district 9, for a new term ending June 30, 2001;
Janet Carpinelli, new appointment, Seat 3, must be a representative of neighborhood organizations representing supervisorial district 10, for a new term ending June 30, 2001;
Jamie Rossi, new appointment, Seat 4, must be a representative of a business association, for a new term ending June 30, 2001;
Stanley Warren (residency requirement waived), Vacant Seat, new appointment, Seat 5, must be a representative of organized labor, for a new term ending June 30, 2001;
Tom Radulovich, new appointment, Seat 6, must be a representative of an urban planning association, for a new term ending June 30, 2001;
Carlos Romero (residency requirement waived), new appointment, Seat 7, must be a representative of an affordable housing organization, for a new term ending June 30, 2001;
Robert Haaland, new appointment, Seat 8, must be a representative of a tenant organization, for a new term ending June 30, 2001;
Debra Walker, new appointment, Seat 9, must be a representative who is an artist or represents an arts organization, for a new term ending June 30, 2001;
Michael Strausz, new appointment, Seat 10, must be a representative who is a residential builder, for a new term ending June 30, 2001.

See File 010714.

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

010396 **[Office of District Community Services]**

Supervisors Ammiano, Daly, Hall, Leno, McGoldrick, Sandoval

Motion directing the Clerk of the Board of Supervisors to organize and staff an Office of District Community Services.

2/26/01, RECEIVED AND ASSIGNED to Rules Committee.
4/5/01. CONTINUED. Heard in Committee. Speakers: none.
(Continued to May 3, 2001.)

Supervisor Ammiano requested that this item be moved to the beginning of the agenda.

Heard in Committee. Speakers: Gloria L. Young, Clerk of the Board; Debra Newman, Budget Analyst's Office; Janet Carpinelli; Marjorie Ann Williams; Michael Nolty; Ted Lakey, Deputy City Attorney.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010540 **[Vacancy in an Elective Office]**

Supervisors McGoldrick, Ammiano

Charter amendment (First Draft) to amend Sections 2.102, 3.102, 6.107, 8.100 and 8.101 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

3/26/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/25/2001.

Heard in Committee. Speakers: Supervisor McGoldrick; Ted Lakey, Deputy City Attorney; Caleb Kleppaer; American Kepner; Janet Carpinelli; Gilbert Criswell; Michael Nolty.

Continued to May 17, 2001.

CONTINUED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

010009 **[Payment for services of Police Officers]**

Supervisors McGoldrick, Yee

Ordinance amending Chapter 10B Section 10B.2 of the San Francisco Administrative Code to reinstate administrative overhead fee.

1/2/01, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 2/1/2001.

2/1/01, TRANSFERRED to Rules Committee. New committee structure.

Continued to May 17, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010754 **[Non-profit Arts Organizations - Loan Funds]**

Supervisor Ammiano

Hearing to consider a potential City application for State of California loan funds for capital and facility needs for non-profit arts organizations.

4/23/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jeff Jones; Ted Lakey, Deputy City Attorney; Mark Reanne; Chrisi Keefer; Alma Robinson; Gail Silva; Brenda Berlin; Debra Cohen; Ms. Vecosolion; Loura Bergman; Johnathan Yought; Meadow Wilson; Tony Kelly; Deb Boss.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

ADJOURNMENT

The meeting adjourned at 420 pm.

City and County of San Francisco
Meeting Minutes
Rules Committee

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Friday, May 04, 2001 **10:00 AM** **City Hall, Room 263**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall.

Members Absent: Tom Ammiano.

Meeting Convened

The meeting convened at 10:10 am.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

There were no requests for changes to the agenda.

REGULAR AGENDA

010527 **[Establishment of Housing Commission]**

Supervisor Gonzalez

Ordinance amending Chapter 2 of the San Francisco Administrative Code by adding Article III thereto; establishing a Housing Commission pursuant to Section 34291 of the California Health and Safety Code to be appointed by the Board of Supervisors; establishing the qualifications and terms for members; and establishing the powers and duties of the Commission.

3/26/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/25/2001.

Heard in Committee. Speakers: Gregg Fortner, Acting Executive Director, San Francisco Housing Authority; James Van Bergen, San Francisco Housing Authority; John Wilkenson, San Francisco Housing Authority; Evett Albert, San Francisco Housing Authority; Carlton Williams, General Counsel, San Francisco Housing Authority; Mr. Belega; Rev. Amos Brown; Jesse Mason; Roy Rogers; Ms. Rogers; Shawn Richards; Benny Wright; Joyce Armstrong; Watson Low; Marie Harrison; Espanola Jackson; Leboriae P. Smoore; Linda Richardson; Roger Langford; Don Paul; Rev. Arnold Townsend; Stan Warren, San Francisco Building and Trades; Larry Lee; Cecilia Shepard; Clarence Brown; Waymond Nichols; Lillie Chess; Muriel Kibby; Jacqualine Sachs; Alma Lark; Theaster Jones.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

010531 **[Board of Supervisors as Governing Body]**

Supervisor Gonzalez

Resolution rescinding that portion of Resolution No. 3874 requesting the Mayor to appoint commissioners of the Housing Authority of the City and County of San Francisco, and declaring the Board of Supervisors to be the Commissioners of the Housing Authority.

3/26/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Gregg Fortner, Acting Executive Director, San Francisco Housing Authority; James Van Bergen, San Francisco Housing Authority; John Wilkenson, San Francisco Housing Authority; Evett Albert, San Francisco Housing Authority; Carlton Williams, General Counsel, San Francisco Housing Authority; Mr. Belega; Rev. Amos Brown; Jesse Mason; Roy Rogers; Ms. Rogers; Shawn Richards; Benny Wright; Joyce Armstrong; Watson Low; Marie Harrison; Espanola Jackson; Leboriae P. Smoore; Linda Richardson; Roger Langford; Don Paul; Rev. Arnold Townsend; Stan Warren, San Francisco Building and Trades; Larry Lee; Cecilia Shepard; Clarence Brown; Waymond Nichols; Lillie Chess; Muriel Kibby; Jacqualine Sachs; Alma Lark; Theaster Jones.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

ADJOURNMENT

The meeting adjourned at 1:22 pm.

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

DOCUMENTS DEPT

MAY - 8 2001

SAN FRANCISCO
PUBLIC LIBRARY

NOTICE OF PUBLIC HEARING

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN to the general public that the Rules Committee will hold a public hearing on **Thursday, May 17, 2001 at 1:00 p.m.**, in Room 263 at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the following:

File: 010009 - Ordinance amending Chapter 10B Section 10B.2 of the San Francisco Administrative Code to reinstate administrative overhead fee.

This legislation authorizes the reinstatement of an administrative overhead fee which shall be computed based upon the following: rate paid or payable to those uniformed officers of the Police Department actually performing services at the time they are to perform such additional duties; the cost of additional equipment and materials expended; and 15 percent thereof for administrative overhead.

Data in support of the proposed fee is available in the above mentioned file of the Clerk of the Board of Supervisors ten days prior to the hearing.
For more information regarding the above, telephone (415) 554-5184 or write to Clerk's Office, Board of Supervisors, Room 244, City Hall, San Francisco, CA 94102.

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Gloria L. Young, Clerk of the Board

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

CITY AND COUNTY OF

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

May 14, 2001

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MAY 17 2001
SAN FRANCISCO
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TO: Rules Committee

FROM: Budget Analyst

SUBJECT: May 17, 2001 Rules Committee Meeting

Item 4 - File 01-0409

Item: Ordinance amending the San Francisco Administrative Code by adding Chapter 89 to require City Departments to offer bilingual services and materials if a substantial or concentrated portion of the public utilizing their services does not speak English effectively because it is not their primary language.

Description: The proposed ordinance would amend the San Francisco Administrative Code to require City Departments to provide bilingual services and materials to the non-English speaking public. Under the proposed ordinance, City Departments would be required to provide services in non-English languages when (a) 10,000 City residents, (b) 5 percent or more of the clients served by the Department, or (c) 5 percent of the residents of the Supervisorial District in which the Departments' offices are located are limited English-speaking and share a common language.

The proposed ordinance would require City Departments to:

- Provide written materials in languages spoken by a substantial or concentrated portion of the population utilizing the Department's services, as described below;
- Employ sufficient numbers of bilingual staff in positions working with the public; and
- Establish a complaint procedure for limited English-speaking individuals who are denied government services to language or have other complaints about the Department.

Under the proposed ordinance, the Planning Department would be required to determine annually whether the population in a City Supervisorial District in which a City Department is located is limited English-speaking or whether the population receiving services from the City Department is limited English-speaking. The Planning Department would determine if the limited English-speaking population met one of two criteria, as follows:

- "Concentrated number of limited English-speaking persons" means that either 5 percent of the population residing in the City Supervisorial District in which a City Department is located speak a shared language other than English or 5 percent of the population receiving a City Department's services speak a specific language other than English.
- "Substantial number of limited English-speaking persons" means that either 10,000 City residents or 5 percent of those receiving a City Department's services speak a shared language other than English.

Under the proposed ordinance, the Planning Department would make its determination of the number of limited English-speaking individuals residing in a City District or receiving services from a City Department by using United States Census data. The Planning Department would report to the Immigrant Rights Commission (IRC)[1], which is part of the Department of Administrative

[1] The Immigrant Rights Commission was established in 1997 as an advisory commission on immigrant policy to the Board of Supervisors and the Mayor. The Commission has 15 members, of whom 11 are appointed by the Board of Supervisors and 4 are appointed by the Mayor. The Immigrant Rights Commission is under the Department of Administrative Services and is staffed by an Executive Director and 0.33 FTE Special Assistant 1365.

Services (DAS), on the number of limited English-speaking individuals in the City by December 1 of each year under the proposed ordinance.

As noted above, City Departments would be required to provide written materials in languages spoken by a substantial or concentrated portion of the population utilizing the Department's services. Specific City Departments, called "Tier 1" Departments would be required to translate vital documents, such as forms, applications, and materials that affect an individual's rights into the languages spoken by a "substantial number" of limited English-speaking clients, including:

(a) applications or forms to participate in the Department's programs or activities or to receive services,
(b) written notices regarding the clients' rights regarding the Department's decisions, including eligibility for services, denial or loss of services, and the right to appeal,
(c) written exams to determine the level of competency in a skill or eligibility for a license, not requiring English language proficiency,
(d) written notices regarding provision of language services to individuals with limited English language proficiency,
(e) written materials describing the Department's programs or services,
(f) complaint forms, and
(g) any other applicable documents.

Tier 1 Departments are: Adult Probation, Department of Consumer Assurance, Department of Elections, Department of Human Services, Department of Parking and Traffic, Department of Public Health, Department of Public Transportation, District Attorney, Emergency Communications Department, Fire Department, Juvenile Probation Department, Police Department, Public Defender, Department of Aging and Adult Services, Rent Stabilization and Arbitration Board, and Sheriff's Department.

All other City Departments, called Tier 2 Departments, providing services to a "substantial number" of limited English-speaking clients would be required to translate into the language(s) spoken by their clients all publicly-posted documents providing information (a) regarding the Department's service or programs or (b) affecting the clients' rights regarding the Department's decisions, including eligibility for services, denial or loss of services, and the right to appeal.

Departments that are required to provide translated written materials would have to:

(a) post notices in the public areas of their facilities in the relevant language(s) indicating that written material in the language(s) and speaking the language(s) are available,

(b) designate a staff member with responsibility for ensuring that translations are accurate and appropriate for the target audience, and

(c) comply with the requirements of the ordinance within one year.

Any City Department receiving written materials from the Federal or State government in a language other than English would be required to keep a sufficient stock of those materials for the Department's clients.

City Commissions and Departments would not be required to translate meeting notices, agendas, or minutes. However, Commissions and Departments would be required to provide oral interpretation of public meetings or hearings if requests for oral interpretation are made 48 hours prior to the meeting or hearing.

In addition to the requirement that City Departments provide written materials in the languages spoken by a "substantial number" of their clients, the proposed ordinance would require all City Departments to fill public contact positions with bilingual employees if the Department's clients include either a "substantial number" or a "concentrated number" of limited English-speaking individuals. Under this provision, the Department would fill vacant positions with bilingual employees but would not be required to create new

positions or dismiss employees to meet the requirements of the proposed ordinance.

The proposed ordinance would require Departments to allow individuals to make complaints to the Department, either through a written form or by telephone, alleging violations of the proposed ordinance by the Department. The Departments would be required to document actions taken to resolve each complaint and maintain copies of complaints and documentation of the complaint resolution for five years.

All Departments with recorded telephone messages about the Department's operation or services would be required to record the telephone messages in the languages spoken by their clients.

Under the proposed ordinance, the Immigrants Rights Commission would be responsible for:

- Conducting outreach to the limited English-speaking community regarding their rights under the proposed ordinance;
- Adopting rules and regulations to implement the proposed ordinance;
- Receiving and monitoring the annual compliance plan submitted by the City Departments serving a "substantial number of limited English-speaking" persons;
- Establishing and implementing a procedure to receive and investigate complaints about violations of the proposed ordinance and maintain documents regarding complaints;
- Reviewing complaints received by Departments about violations of the proposed ordinance and working with Departments to resolve these complaints; and
- Enforcing compliance with the proposed ordinance, by reporting in writing a finding of non-compliance to the affected City Department, the Department of Human Resources, the Mayor, and the Board of Supervisors.

Fiscal Impact:

Based on documentation provided by the Tier 1 Departments and the Immigrant Rights Commission, the Budget Analyst estimates that implementation of the

proposed ordinance would result in new costs in FY 2001-2002 of approximately $741,675. This estimate includes (a) one-time costs of $600,696 for Tier 1 Departments to translate written materials into Spanish and Chinese, as required by the ordinance, which have not previously been translated, plus (b) annual costs of $140,979 for the Immigrant Rights Commission (IRC) for outreach to the limited English-speaking community, enforcing compliance with the proposed ordinance, and additional responsibilities, outlined in the proposed ordinance (See Comment 5).

In addition to the estimated $741,675 in increased costs noted above, the proposed ordinance would result in additional increased costs, as follows:

- The City Departments would have increased printing costs for printing materials in languages other than English. According to information provided by DAS, printing costs for black-and-white and some multi-color materials in Spanish and Chinese, in addition to English, would increase by approximately 5 percent over the cost of printing in English only. In addition, based on information provided by DAS, printing costs for each additional language for higher-quality full-color offset printing would equal the initial cost of printing in English only. The Budget Analyst is not able to estimate the increased printing costs because the increased costs would be based on the number and type of documents to be printed.
- All other City Departments, called Tier 2 Departments, providing services to a "substantial number of limited English-speaking" clients would be required to translate all publicly-posted materials regarding the Department's services and the rights of the Department's clients to receive services, as noted above. City Departments would incur some new one-time costs to comply with this provision of the proposed ordinance. The Budget Analyst is not able to provide an estimate of these increased costs at this time and recommends that the IRC work with the affected Tier 2 Departments to develop an implementation plan, determining which written

Department materials would require translation under this provision of the proposed ordinance.

- The Planning Department would be required to determine annually whether the population in a Supervisorial District in which a City Department is located is limited English-speaking or whether the population receiving services from the City Department is limited English-speaking under the proposed ordinance. According to Mr. Amit Ghosh of the Planning Department, the Planning Department would be required to (a) develop an inventory of covered Departments, (b) establish the language speaking characteristics of the population served by these covered Departments, and (c) establish a reliable source of data. Mr. Ghosh estimates that the Planning Department would incur approximately $44,579 in salary and fringe benefit costs for a 0.5 FTE Planner 3 position to perform this work (see Comment 6).
- City Departments would incur increased costs for bilingual pay when existing public contact positions become vacant and are filled with bilingual employees, although the actual amount of these cost increases would depend on when existing positions become vacant and the rate of bilingual pay for that position (see Comment 8).
- In addition to the estimated $600,696 for translating written materials into Spanish and Chinese in FY 2001-2002, the Departments would have some ongoing costs for translating new or revised materials in future years, as noted in Comment 3.
- The cost estimates in this report include estimates for translating written materials into Spanish and Chinese. The Budget Analyst estimates that City Departments will incur approximately $350,000 in additional one-time costs for translating materials into each non-English language, other than Chinese or Spanish (see Comment 7).

Comments:

1. Of the estimated $600,696 in new one-time costs for translating written documents into Spanish and Chinese, the Department of Public Health (DPH) would incur approximately $371,219, or 61.8 percent of this $600,696, for translating such written materials, according to Mr. James Alexander of the DPH. This amount of $371,219

includes $300,000 for translation and $71,219 in salary and fringe benefit costs for one Assistant Health Educator position to coordinate translation of the written materials. Such funds are not included in the DPH budget, and funds to pay these additional costs, including the Assistant Health Educator position, which would be designated limited-tenure, would be subject to Board of Supervisors approval.

2. Of the estimated $600,696 in new one-time costs for translating written documents into Spanish and Chinese, the Department of Human Services (DHS) would incur approximately $149,870, or 24.9, for translating such written materials, according to Ms. Jeanne Zarka of DHS. Such funds are not included in the DHS budget and funds to pay these additional costs would be subject to Board of Supervisors approval.

3. Although the estimate of $600,696 represents new one-time costs for translating materials, the City Departments would incur ongoing annual translation costs for producing new or revised written materials. The Budget Analyst is not able to provide an estimate of on-going costs at this time because such costs would vary, based on the need of each Department to revise or produce new written materials. However, it should be noted that DHS has requested $140,130 in the FY 2001-2002 budget for translation costs, which are in addition to the estimated $149,870 in translation costs resulting from the proposed ordinance (as noted in Comment 2). The Department of Elections has requested $163,000 in the FY 2001-2002 budget for translation costs. Two other Departments, the Police Department and DPH, state that their Departments frequently produce new written materials but were not able to provide estimates of the costs because these Departments have not yet determined what new written materials would be produced.

4. The Budget Analyst recommends that the Immigrant Rights Commission (IRC) work with the Tier 1 and Tier 2 Departments to develop an implementation plan for translating written materials under the proposed ordinance. The implementation plan would include determining which documents need to be translated

under this provision of the proposed ordinance, assisting the Departments with determining priorities, establishing a timeline for translating materials, and avoiding duplication of documents

5. As noted above, cost estimates for the Immigrant Rights Commission (IRC), provided by Mr. Dang Pham of the IRC, include (a) $100,000 for community-based organizations to conduct outreach in FY 2001-2002 to the limited-English speaking community and (b) $40,979 in salary and fringe benefit costs to increase an existing 0.33 FTE Special Assistant 1365 by 0.67 FTE, to create a full-time position, for total annual costs of $140,979. The attached memorandum (Attachment), provided by the IRC, contains an explanation of this cost estimate. According to Mr. Pham, the estimate for grants to community-based organizations to conduct outreach would be reduced by $50,000 in the second year, from the estimated amount of $100,000 in FY 2001-2002 to the estimated amount of $50,000 in FY 2002-2003.

6. The proposed ordinance requires the Planning Department to determine annually whether the population in a City Supervisorial District in which a City Department is located is limited English-speaking or whether the population receiving services from the City Department is limited English-speaking. Under the proposed ordinance, the Planning Department would make this determination by using United States Census data. The estimates in this report are based on the costs of translating materials into Spanish and Chinese. The inclusion of languages in addition to Spanish and Chinese has not yet been determined.

7. Based on the documentation provided by the Tier 1 Departments, the Budget Analyst estimates that the one-time new costs for City Departments for each additional language included in the proposed ordinance would be approximately $350,000. However, these costs will vary, depending on which new languages are determined to be covered by the proposed ordinance and what written materials City Departments are already providing in these languages.

8. All City Departments would be required to fill vacant public contact positions with bilingual employees to provide information and services if the population receiving Department services meet either the "substantial number of limited English-speaking" or "concentrated number of limited English-speaking" criteria. Because this provision of the ordinance does not create new City positions, the City would not incur increased costs for new positions but would incur some increased costs by expanding the number of positions qualifying for bilingual pay. Currently, the Memoranda of Understanding (MOU) between the City and the City employee organizations provide for bilingual pay, ranging from $35 per pay period to $60 per pay period. The Budget Analyst notes that increased bilingual pay costs will vary, depending on when existing positions become vacant, and on which MOU covers the position.

9. Under the proposed ordinance, all City Departments would be required to determine annually whether 5 percent or more of those limited English-speaking persons who use the Department's services citywide speak a shared language other than English by either (a) conducting a 2-week survey of all contacts with the public made by the Department, or (b) analyzing information collected during the Department's intake process. Although City Departments will be required to allocate existing Department resources to conduct the proposed survey or information analysis, because of the time-limited nature of the survey or information analysis, the Budget Analyst does not find that this provision of the proposed ordinance will result in incremental costs.

10. Additionally, the proposed ordinance requires City Departments to draft and file an annual compliance plan with the Immigrant Rights Commission, which includes (a) the number and percentage of limited English-speaking persons who use the Department's services, (b) a list of the languages spoken by 5 percent of more of the residents of each Supervisorial District in which the Department's facilities are located, (c) the number of public contact positions in the Department and the number, title, office location and language of bilingual employees in these positions, and (d) other information as

required to ensure compliance with the proposed ordinance. According DPH and DHS, these Departments are already required to report some of this information to State and Federal agencies and they are not anticipating that these requirements of the proposed ordinance will result in a request for additional funds. Although City Departments will be required to allocate existing resources to draft and file the compliance plan required by the proposed ordinance, the Budget Analyst does not find that this provision of the proposed ordinance will result in incremental costs.

11. Currently, City Departments that translate written materials into languages other than English have their own contracts with outside translating services. To better coordinate translation services, ensure quality and conformity of translated materials in all City Departments, and achieve economies of scale, the Budget Analyst recommends that, if the subject ordinance is approved by the Board of Supervisors, the Department of Administrative Services (DAS) should be requested to coordinate translation services for City Departments, including the award of contracts to vendors to provide translation services for all City Departments. In addition, the Budget Analyst recommends that the DAS be directed to present to the Board of Supervisors a review of the costs of providing some translation services in-house, including an analysis of any cost savings that would result over contracting out these services and a proposal for recovery of full costs from City Departments.

12. The proposed ordinance should be amended to delete reference to "Public Administrator/ Guardian" and to add "Department of Aging and Adult Services".

Recommendations:

1. Amend page 4, line 23, to delete "Public Administrator/ Guardian" and add "Department of Aging and Adult Services", as noted in Comment 12.

2. Approval of the proposed ordinance as amended is a policy matter for the Board of Supervisors.

3. If the proposed ordinance is approved, request the Immigrant Rights Commission (IRC) work with City

Departments to develop an implementation plan for translating written materials under the proposed ordinance, which includes determining which documents need to be translated under this provision of the proposed ordinance, assisting the Departments with determining priorities, establishing a timeline for translating materials, and avoiding duplication of documents, as noted in Comment 4.

4. If the proposed ordinance is approved, request DAS to coordinate translation services for City Departments and present a review of the costs of providing translation services in-house, as noted in Comment 11.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Stephen Kawa

CITY AND COUNTY OF SAN FRANCISCO
IMMIGRANT RIGHTS COMMISSION

MEMORANDUM

TO: **SEVRIN CAMPBELL**
Budget Analyst - Board of Supervisors

FROM: **DANG PHAM**
Immigrant Rights Commission

SUBJECT: Equal Access to Services Ordinance

DATE: May 14, 2001

The proposed Equal Access to Services Ordinance would mandate the Immigrant Rights Commission (IRC) to: provide information to non-English-speaking immigrants regarding their rights to City services; and monitor the compliance of City agencies with the ordinance.

The IRC estimates the cost for implementing this ordinance includes:

a. $100,000 in grants for the first year and $50,000 yearly thereafter to the community-based organizations;

b. $40,979 in salary and fringe benefits to increase an existing 0.33 FTE Special Assistant 1365 by 0.67 FTE, to create a full time position to monitor compliance.

The IRC partnership with community-based organizations in the Census 2000 outreach efforts yielded positive results for San Francisco. The Commission's award of grants $10,000 to $50,000 to non-profit organizations of diverse ethnic constituencies contributed to a greater response rate. The IRC will be able to tap into the network established by the Census effort to assist in implementation of this proposed ordinance.

In addition, the Commission will work with the City Departments during the first year of implementation of the ordinance, to assist them in determining which documents need to be translated, to ensure the quality of the translation and avoid the duplication.

If you have any further questions regarding this matter, please do not hesitate to call me at 554-7583 or Winny Loi, the Commission Secretary at 554-4789.

Thank you very much for your consideration in this matter.

City Hall, Room 362, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102
TEL (415) 554-4789; FAX (415) 554-6177

Item 8 – File 01-0009

Note: This item was continued by the Rules Committee at its meeting of May 3, 2001.

Department: Police Department

Item: Ordinance amending Chapter 10B, Section 10B.2, of the Administrative Code to reinstate an Administrative Overhead Fee.

Description: Currently, Section 10B.2 of the City's Administrative Code requires that a person, corporation, firm, or organization requesting City Police services for a special event reimburse the Police Department for the cost of the services provided, including the rate of pay for the uniformed officers performing the services, and the cost of equipment and materials expended. The costs charged to the sponsors of the special event reimburse the Police Department for the expenditures incurred by the Department and are deposited in a special restricted fund, designated as the Special Law Enforcement Services (SLES) Fund.

The proposed ordinance would amend Section 10B.2 to require that the party requesting Police services must also pay to the City's General Fund, in addition to reimbursing the Police Department for the costs of the Department's services, an Administrative Overhead Fee equal to 15 percent of the cost of the Police services for the special event. Under the proposed ordinance, the Board of Supervisors would be authorized to waive this 15 percent Administrative Overhead Fee upon demonstration that paying the fee would be a hardship on the party requesting the Police services. The subject ordinance explicitly states that only the Board of Supervisors, and not the Police Department, would have such authority to waive the Administrative Overhead Fee.

The proposed ordinance would continue to require that the cost of the City's Police services for a special event be based on the actual rate of pay for the Uniformed Officers performing the services, including overtime if necessary, and the other actual costs incurred by the Police Department for the special events, such as equipment and materials.

Comments:

1. According to Captain John Goldberg of the Police Department, during FY 1999-2000 the Police Department was reimbursed for a total of $6,547,467 in costs charged to parties requesting Police Department Services.[1] Based on that FY 1999-2000 amount of $6,547,467, the Police Department would collect an additional estimated $982,120 annually if the proposed 15 percent Administrative Overhead Fee were imposed. As previously noted, all of the proposed Administrative Overhead Fee would be deposited into the City's General Fund.

2. As stated previously, the City Administrative Code, Section 10B.2, currently authorizes the Police Department to charge third parties requesting City Police services for the actual rate of pay for the Uniformed Officers performing the services, including overtime if necessary, and the other actual costs incurred by the Police Department for the special events, such as equipment and materials. Currently, the Administrative Code does not include provisions for charging for administrative costs, such as payroll, billing the third parties, management oversight and the Controller's processing services. According to Captain Goldberg, the Police Department does not charge third parties for the administrative costs to the Police Department of providing such services. Instead, the Police Department absorbs such administrative costs in the Department's annual budget.

According to the Office of the Sponsor of the proposed ordinance, proceeds from the proposed 15 percent Administrative Overhead Fee would reimburse the City's General Fund for monies already provided in the Police Department's annual budget to cover the administrative overhead costs incurred from providing City Police services to third parties, such payroll, billing the third parties, management oversight and the Controller's processing services.

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[1] This amount of $6,547,467 in fees charged to parties requesting Police Department Services does not include an additional $297,105 charged to parties during Fiscal Year 1999-2000 under the prior 22.5 percent Administrative Overhead Fee, eliminated in January of 2000 and discussed in Comment No. 2.

3. Captain Goldberg advises that the Police Department generally does not charge third parties requesting City Police Services for the cost of equipment and materials expended, even though the Department is authorized to do so by the Administrative Code, Section 10B.2, because the Department has no mechanism for determining such costs.[2] The Budget Analyst recommends that the proposed ordinance be amended to require the Police Department to develop a mechanism for charging third parties for such equipment and materials costs, in order to ensure that the Police Department recovers all costs that result from providing such City Police services. In addition, the Budget Analyst recommends that the Police Department be required to provide to the Board of Supervisors with a report by August 1, 2001 that outlines how the Police Department plans to charge third parties for additional equipment and material costs resulting from providing City Police services to third parties.

4. In January of 2000, the Board of Supervisors eliminated a similar 22.5 percent Administrative Overhead Fee in an effort to change what had been the ad hoc nature of the special events cost recovery and to ensure that all organizations requesting City Police services under Section 10B were treated equally, as discussed below. The Office of the Sponsor is now proposing, with this ordinance, to reinstate a 15 percent Administrative Overhead Fee, instead of a 22.5 percent fee, to ensure that the City recovers the Police Department's administrative overhead costs of providing City Police services to third parties. In addition, in August of 2000, the San Francisco Civil Grand Jury issued a report recommending that the City recover such overhead costs by reinstating the Police Department's Administrative Overhead Fee. The Office of the Sponsor has proposed an Administrative Overhead Fee level of 15 percent based on recommendations from the Police Department, which were reported by the Budget Analyst in January of 2000.[3]

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[2] Captain Goldberg advises that the Police Department does charge third parties for equipment costs if the third party requests the use of special equipment, such as the Police Department's boat.

[3] The 15 percent estimate of Police Department overhead costs accounts for overhead costs resulting from when the Board of Supervisors waives the fees to be paid for certain events

5. In the Police Department Management Audit prepared by the Budget Analyst's Office in December of 1996, the Budget Analyst found that the Police Department: (a) had waived payment of Administrative Overhead Fees for several organizations, such as the San Francisco 49ers, the San Francisco Giants, and movie production companies, without authorization from the Board of Supervisors, and (b) had not transferred Administrative Overhead Fees to the General Fund. Rather, the Police Department had retained such fees in the Special Law Enforcement Services (SLES) Fund.[4]

6. Subsequently, in 1999 the Controller conducted an audit of the Police Department's practice of collecting fees for providing Police services for special events.[5] In the Controller's report, which was completed in November of 1999, the Controller found that, although the Police Department generally charged the direct costs correctly for providing City Police for special events, the Police Department did not charge the 22.5 percent Administrative Overhead Fees to all the organizations to which it provided such services. The Budget Analyst notes that the proposed ordinance would require the Police Department to apply the proposed 15 percent Administrative Overhead Fee to all parties requesting Police Department Services under Section 10B. The proposed ordinance does not authorize the Police Department to waive the 15 percent administrative fee, although the ordinance does provide such wavier authorization to the Board of Supervisors.

7. Additionally, the Controller found that, when the Police Department did collect the 22.5 percent Administrative Overhead Fees, the Department did not deposit such fees into the General Fund, but instead deposited the fees into the SLES Fund. According to the Controller's report, the Administrative Overhead Fees were deposited into the

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and resulting from third parties that fail to reimburse the Police Department for City Police services provided, which the Police Department must absorb.

[4] Management Audit of the San Francisco Police Department, Phase I, prepared by the Office of the Budget Analyst, December, 1996.

[5] "The San Francisco Police Department: The Department Has Not Charged All Organizations the Required Administrative Overhead for the Special Security Services It Provides," prepared by the Office of the Controller, November 2, 1999.

SLES Fund and were then used to pay for the Police Department's use of overtime, which was not subject to appropriation approval by the Board of Supervisors, instead of being available for other General Fund purposes of the City.

8. To ensure that revenue generated from the proposed 15 percent Administrative Overhead Fee is deposited into the City's General Fund, the Office of the Sponsor plans to introduce a substitute ordinance at the May 3, 2001 meeting of the Rules Committee to require that the proposed 15 percent Administrative Overhead Fee be deposited into the General Fund as an unappropriated balance, instead of into the SLES Fund. In addition, the proposed substitute ordinance would require that the Police Department provide to the Controller's Office a semi-annual report outlining all fees charged to third parties who requested City Police services, including the proposed 15 percent Administrative Overhead Fee.

Recommendations:

1. Amend the proposed ordinance to require that the Police Department develop a mechanism for charging third parties for all equipment and materials costs resulting from providing City Police services to sponsors of special events, in accordance with Comment No. 3 above.

2. Amend the proposed ordinance to require that the Police Department provide the Board of Supervisors with a report by August 1, 2001 that outlines how the Police Department plans to charge third parties for equipment and material costs resulting from providing City Police services to third parties, in accordance with Comment No. 3 above.

3. Approve the proposed ordinance, as amended.

Item 10 - File 01-0848

Departments: Department of Public Health (DHS)
Department of Administrative Services (DHS)
Purchasing Department
Office of Contract Administration

Item: Ordinance amending the San Francisco Administrative Code by adding Chapter 12Q, encompassing Sections 12Q.1 through 12Q.11, to require contractors that provide services to the City or enter into certain leases with the City and certain subcontractors, subtenants and parties providing services to tenants and subtenants on City property, with respect to covered employees, to offer health plan benefits to employees, to either make payments to the City for use by the Department of Public Health or to make payments directly to employees under limited circumstances, or to participate in a Health Benefits Program developed by the Director of Health.

Description: The proposed ordinance would add a new Chapter to the City's Administrative Code, Chapter 12Q, to be known as the San Francisco Health Care Accountability Ordinance. In accordance with this new Chapter 12Q, Health Care Accountability Ordinance, specified contractors and subcontractors that provide public works, improvements or services at the expense of the City, as well as tenants and subtenants under leases and subleases on City-owned or City-controlled property, would be required to choose between offering either (1) health plan benefits to specified covered employees or (2) making payments to (a) the City, or (b) the specified covered employees. The effective date of the proposed ordinance would be July 1, 2001 or 30 days after the proposed ordinance is adopted, whichever is later (See Comment No. 8).Under the proposed ordinance, all affected contracts, subcontracts, leases, subleases entered into, or amended, after the effective date, would include the subject Health Care Accountability Ordinance provisions.

In FY 2001-2002, those covered employees that would be entitled to such health plan benefits or payments would include: (1) employees of contractors or subcontractors who work on a City contract or subcontract for 20 hours or more per week or (2) employees of tenants or subtenants who work 20 hours or more per week on property covered by a

City lease or sublease, or (3) employees of contractors or subcontractors that have City contracts or subcontracts to perform services on property covered by a lease or sublease if such employees works 20 hours or more per week on the property. Effective July 1, 2002, the number of hours per week that an employee must work to be covered by the proposed ordinance would be reduced from 20 hours to 15 hours or more per week, a reduction of five hours or 25 percent (See Comment No 9).

Those employees that would not be covered by the subject ordinance would include: (1) student employees, under the age of 18 years, or trainees in certain bona fide training programs, provided that such student or trainee employees do not replace, displace or lower the wage or benefits of any existing employees, (2) employees covered by the City's prevailing rate of wages, in accordance with City Charter Section A7.204 and Administrative Code Chapter 6, or (3) disabled employees covered by or eligible for a U.S. Department of Labor sub-minimum wage certificate.

The proposed ordinance also specifies various types of agreements, contracts and leases which would be exempt from the proposed Chapter 12Q provisions, including: (1) agreements that extend for less than one year, (2) agreements that are predominantly for the purchase or lease of goods, or for guarantees, warranties, shipping, delivery, installation or maintenance of such goods, (3) agreements for settlement of legal proceedings, (4) agreements for urgent or specialized advice, consultation or litigation services for the City Attorney's Office, if the City Attorney finds that it would be in the best interests of the City not to include such requirements, (5) agreements for (a) less than $25,000 for for-profit contractors and (b) less than $50,000 for non-profit contractors; however, if the contractor has multiple agreements with the City in a given fiscal year, and the cumulative amount of these contracts is $75,000 or more, these provisions would apply to each such agreement from the date the triggering contract is executed, (6) loan agreements or agreements for investment, management or use of trust assets, or City monies, if compliance would violate the fiduciary duties of the trustees, or the City Treasurer, (7) agreements executed or pursuant to bid packages or requests for proposals advertised prior to the effective date of the subject

ordinance, unless amended, (8) agreements involving the expenditure of Special Funds or other Non-General Fund revenues to the extent that application of this provision would require the City to use General Fund monies to supplement the Special Funds or other Non-General Fund revenues to maintain the current level of services, (9) agreements that require grant fund expenditures awarded to the City by another entity, with regards to such grant funds only, (10) agreements pursuant to which the City awards a grant to a nonprofit corporation, (11) agreements with public entities, unless that public entity is the San Francisco Redevelopment Agency, San Francisco Local Agency Formation Commission (LAFCO), San Francisco Transportation Authority, San Francisco Parking Authority or the San Francisco Health Authority, (12) agreements for employee benefits for City employees, if the Director of Human Resources finds no entity to comply with these provisions, (13) agreements for services provided for less than 130 days within a 12-month period, or leases of less than 29 consecutive days in any calendar year, (14) leases that do not provide exclusive use of the property to the tenant, (15) agreements granting franchises or easements, revocable at-will use or encroachment permits on City property, street excavation, construction or use permits or agreements for the use of a City right-of-way, and (16) agreements for using City property primarily for recreational activities (excluding business operations that provide recreational or entertainment activities).

In addition, if a for profit employer has 20 or fewer employees, or a non-profit employer has 50 or fewer employees, that employer would not be obligated to comply with the subject provisions. In accordance with the proposed ordinance, all employees of all of the employers' parent organizations and subsidiaries would be included in the count for determining the total number of employees.

Under the proposed ordinance, for employees that live in San Francisco or provide services in San Francisco or at the San Francisco Airport or San Bruno Jail, the specified employers (i.e., contractors, subcontractors, tenants, subtenants, etc.) would have the following three options for providing the required health care benefits: (1) offer covered employees health plan benefits that meet the minimum standards prepared by the Director of Public

Health and approved by the Health Commission (See Comment No. 5), (2) pay $1.50 per hour to the City for each hour the covered employee works on the subject City contract or subcontract or property covered by a lease, with such payment not to exceed $60 per week, or the equivalent of the employee working 40 hours per week for each week that the covered employee works the minimum number of hours on a City contract or City property, (3) participate in a Health Benefit Program developed by the Director of Public Health and approved by the Health Commission (See Comment No. 6).

Under the proposed ordinance, for employees who do not live or provide services in San Francisco, but still work under a City contract or for employees who provide services at the San Francisco Airport or San Bruno Jail under a City contract, the specified employers (i.e., contractors, subcontractors, tenants, subtenants, etc.) would have the following two options for providing the required health care benefits: (1) offer covered employees health plan benefits that meet the minimum standards prepared by the Director of Public Health and approved by the Health Commission (See Comment No. 5), or (2) pay $1.50 per hour to the covered employee for each hour the covered employee works on the subject contract or subcontract or property covered by a lease, with such payment not to exceed $60 per week, or the equivalent of the employee working 40 hours per week, for each week that the covered employee works the minimum number of hours on a City contract or City property. This provision is intended to enable the employee to obtain their own health insurance coverage.

In terms of administering and enforcing the subject ordinance, the Director of Purchasing, in consultation with the Department of Public Health, would be responsible for promulgating such regulations, after holding a public hearing on the matter. In addition, the Director of Purchasing, in consultation with the City Attorney, would develop the specified contractual provisions that need to be used by each City department for inclusion in their contracts and leases. The Director of Purchasing may audit contractors and investigate complaints of noncompliance. If the Director of Purchasing determines that a contractor has violated Chapter 12Q, the Director may: (1) charge the offending employer the amounts that should have been paid

to the City, including interest, (2) assess liquidated damages of $50 per day for each covered employee each day that the offending employer failed to pay the City the required amounts, (3) set off the amount that the offending employer owes to the City against the amounts due to the contracting party, (4) terminate the contract or lease in whole or in part, or (5) bar the offending employer from entering into future contracts or leases with the City for three years.

In addition to the exemptions discussed above, the Director of Purchasing, in consultation with the Department of Public Health, may waive the requirements of the proposed Chapter 12Q for the following reasons: (1) there is only one prospective contractor or tenant, or for sole source contracts, (2) emergency situations, (3) there are no qualified responsive bidders for a service, lease or project that is essential to the City, (4) there would be an adverse impact on services or an unreasonable adverse financial impact on the City. Such waivers would only be effective for the duration of that contract or lease period. Under specified conditions, the General Manager of the Public Utilities Commission could also waive the requirements of the subject Chapter 12Q for certain contracts for the provision, conveyance or transmission of wholesale or bulk water, electricity or natural gas and other ancillary requirements, provided that the purchase of such services cannot be accomplished through the City's standard competitive bidding procedures and the contractor or subcontractor is not providing direct, retail services to end users within the City.

Under the proposed ordinance, each contractor would be responsible for its subcontractors and each tenant would be responsible for each subtenant, contractor and subcontractor performing services on property covered by the tenant's lease, with respect to compliance with this ordinance.

The Director of Purchasing and the Department of Public Health would be required, under the proposed ordinance, to provide an annual joint report to the Board of Supervisors on the City's compliance with this Chapter, including cumulative information on the number of waivers granted.

Comments:

1. The proposed ordinance states that employers should be primarily responsible for offering health care benefits to their employees to enhance the quality of services provided. The proposed ordinance would require that specified City contractors, subcontractors, tenants and subtenants on City property provide health benefits directly or pay for such benefits for their covered employees. The proposed ordinance also states that the City has a significant interest in reducing the costs it incurs in providing medical care to uninsured individuals at San Francisco General Hospital and other City health care facilities. Although the DPH cannot separate the costs of providing care for uninsured individuals from indigent individuals, currently, according to Ms. Monique Zmuda of DPH, the City provides health care directly to both uninsured and indigent individuals through San Francisco General Hospital and other City Department of Public Health clinics at an estimated cost of approximately $180 million annually. Ms. Taylor Emerson of the Mayor's Office advises that based on the most recent survey that was conducted three years ago for the Mayor's Blue Ribbon Committee on Universal Health Care, there are approximately 130,000 uninsured individuals in San Francisco.

As shown in Attachment I provided by Ms. Emerson, an estimated 16,050 of uninsured workers would benefit from the proposed ordinance. This includes 1,900 for profit contractors, 2,650 non-profit contractors, 5,750 Airport tenants and 5,750 tenants on other City property (Port, PUC, etc.)

2. In accordance with the proposed ordinance, the $1.50 per hour cost, not to exceed $60 per week, represents the City's current estimate of the average cost to obtain individual health insurance benefits. Ms. Emerson therefore advises that it may be less expensive for employers to provide health insurance benefits to their full-time employees, rather than paying the proposed $1.50 per hour to the City or to their employees. The proposed ordinance also states that the Health Commission may increase this $1.50 hourly rate and $60 per week maximum, in accordance with the U.S. Department of Labor's Bureau of Labor Statistics Consumer Price Index for Medical Care in the San Francisco Bay Area or such other factors the Health Commission finds appropriate in order to track the cost of

obtaining individual health insurance, provided that the Health Commission shall take this action no more than once a year. The Budget Analyst notes that this provision, to increase the $1.50 hourly rate and $60 per week maximum amount would result in changes to the proposed ordinance, which should be subject to the Board of Supervisors approval. Therefore, the Budget Analyst recommends that the proposed ordinance be amended to reflect that such changes would be subject to approval by the Board of Supervisors.

3. As shown the Attachment II, provided by Ms. Emerson, the proposed ordinance is estimated to cost approximately $3,995,084 in FY 2001-2002, including approximately $1,318,460 from for profit contractors and subcontractors and $2,676,625 from non-profit contractors and subcontractors. Such additional costs are a result of various City departments being required to pay more for contracts and subcontracts, since the contractors and subcontractors would pass through to the City the employers' additional costs of providing such health care benefits to their employees. Ms. Emerson advises that if the proposed ordinance is approved, the Mayor's Office would fund an additional $4 million for General City Responsibilities to cover such additional expenditures City-wide.

It should be noted that there would be no increased costs to the City for those employees of leases or subleases since there is no pass-through mechanism under such leases or subleasees. However, the Budget Analyst notes that requiring leases and subleases to provide health benefits to employees will likely result in increased costs for such employers, and may ultimately reduce the amount of revenues paid to the City, under such leases and subleases, particularly at the Port and Airport. Ms. Emerson advises that, as of the writing of this report, such potential revenue losses have not been estimated.

As shown in Attachment II, comparable costs of $3,995,084 are estimated to be incurred in FY 2002-2003 and in FY 2003-2004 an estimated $3,727,422 is estimated to be incurred. Ms. Emerson advises that a slightly lower cost is estimated in the third year, as it is assumed that approximately ten percent of the non-profit providers will begin absorbing the additional costs for health care and not

pass through all such costs to the City. As shown in the Attachment, the estimated three-year additional cost to the City from the proposed legislation is approximately $11,717,590.

In addition, Ms. Emerson advises that the proposed ordinance is estimated to generate approximately $550,000 of new revenues during the first year for DPH from the $1.50 per hour paid to the City for each hour that employees work on the subject City contract or subcontract or property covered by a lease. The Budget Analyst notes that all such revenues would be subject to the Board of Supervisors appropriation approval. According to Ms. Emerson, the estimated additional $550,000 of revenues would be deposited into a separate account and used to offset a portion of the required salary savings for primary care clinics in the Community Health Network, permitting the Department of Public Health to hire additional staff into currently budgeted positions, that would otherwise remain vacant. According to Ms. Emerson, revenue projections for the DPH after the first year cannot be determined at this time, since it will depend on how quickly the Health Benefits Program can be implemented, the number of employers that decide to provide their own health insurance coverage or enroll in the Health Benefits Program as well as the cost of that Program.

In terms of noncompliance with this legislation, the proposed ordinance provides that the City may (1) charge the offending employer the amounts that should have been paid to the City, including interest, (2) assess liquidated damages of $50 per day for each covered employee each day that the offending employer failed to pay the City the required amounts, (3) set off the amount that the offending employer owes to the City against the amounts due to the contracting party, or (4) assess other nonmonetary provisions. Ms. Emerson advises that, as of the writing of this report, the Mayor's Office cannot estimate the amount of additional revenues that may be received from such penalties. The proposed ordinance states that any revenues received from violations of this Chapter would first be used to cover the costs of enforcement and thereafter appropriated for the use of the Department of Public Health. The Budget Analyst notes that all such revenues

would be subject to the Board of Supervisors appropriation approval.

4. The proposed ordinance states that, if the City creates an Office of Contract Administration (OCA), the respective Director of the OCA would assume the administrative and enforcement responsibilities of the subject Health Care Accountability Ordinance. The Budget Analyst notes that a supplemental appropriation ordinance and salary ordinance (Files 01-0677 and 01-0678) are currently pending before the Board of Supervisors to create and fund an Office of Contract Administration in the Department of Administrative Services. Based on the recommendations of the Finance Committee on May 9, 2001, the proposed new Office of Contract Administration would include seven new positions, including two Contract Compliance Officer II, three Contract Compliance Officer Is, one Management VIII and one Senior Clerk Typist, at an estimated maximum annual salary and fringe benefit cost of $672,922 to administer the Minimum Compensation Ordinance, the subject Health Care Accountability Ordinance and the prevailing wage provisions of the Administrative Code. Based on the Budget Analyst's recent review of this supplemental appropriation request and accompanying Salary Ordinance, OCA does not have any information regarding the number of contractors and covered employees that would be subject to the proposed Health Care Accountability Ordinance. Therefore, the Budget Analyst advises that no additional positions should be funded for this new program until details of the expected workload and performance objectives for the Health Care Accountability Ordinance are developed.

5. Although the proposed ordinance requires that the Director of DPH prepare and the Health Commission approve minimum standards for a health plan, as of the writing of this report, such minimum standards have not yet been prepared. Under the proposed ordinance, if the Health Commission has not approved minimum standards for such health plan benefits by the effective date of this ordinance, the Director of Purchasing may suspend enforcement of this Chapter for a period of up to 30 days to provide sufficient time for the Health Commission to take such actions. According to Ms. Tangerine Brigham of DPH, such minimum standards are currently being developed

based on reviews of the existing range of health benefits, not including dental or vision benefits, provided by such providers as Kaiser Permanente, HealthNet, Blue Cross/Blue Shield, etc. Ms. Brigham advises that such minimum standards are anticipated to be brought to the Health Commission for review and approval in June of 2001. The Budget Analyst notes that the proposed ordinance does not allow for subsequent review or changes to these minimum standards. Based on discussions with Ms. Brigham regarding this issue, the Budget Analyst recommends that the proposed ordinance be amended to permit review and possible changes in the minimum standards every two years, to insure that such minimum standards are in compliance with State and Federal regulations, and existing health benefit practices.

6. The proposed ordinance also states that the Director of Public Health has 12 months from the time the proposed ordinance is finally approved to seek the Health Commission's approval of a Health Benefits Program. Ms. Brigham advises that a Health Benefits Program would enable those private and non-profit employers who have difficulty purchasing health insurance on the open market for their employees to participate in a pool with other employers in order to collectively purchase health insurance benefits for their employees. In developing this Program, the proposed ordinance states that the Director of Public Health shall (a) attempt to make health coverage available for uninsured covered employees and, if feasible, for other uninsured City residents, (b) use public health facilities to the maximum extent practicable, (c) make the program economically viable and (d) provide a mechanism for funding which relies, as much as possible, on contributions by participating employers and employees. Ms. Brigham advises that the proposed Health Benefits Program would have to be licensed by the State of California, and such licensing can take up to six months for approval. The costs to employers of the proposed Health Benefits Program will depend on how many employers require participation, the number of employees involved, the level of health benefits provided and various other factors such that the costs cannot be estimated at this time, according to Ms. Brigham.

7. Mr. Errol Fitzpatrick, the City's Risk Manager advises that the proposed ordinance provides sufficient risk management protections for the City.

8. The proposed ordinance's effective date is July 1, 2001 or 30 days after the proposed ordinance is adopted, whichever is later. Ms. Emerson advises that if the proposed ordinance is effective by at least July 1, 2001, all of the new or renewed contracts and leases, which take effect with the new fiscal year on July 1, 2001, would be subject to the proposed ordinance. However, if the proposed ordinance does not become effective until after July 1, 2001, most City contracts and leases would not be subject to the proposed provisions until the following fiscal year, beginning on July 1, 2002.

9. The proposed ordinance would require private and non-profit contractors, subcontractors and leasors to provide or pay for health care benefits for their covered employees who work at least 20 hours per week, beginning on the effective date of the proposed ordinance. Effective July 1, 2002, or approximately one year later, the number of hours that an employee must work to be covered by the proposed ordinance would be reduced from 20 hours or more per week to 15 hours or more per week, a reduction of five hours or 25 percent. However, the Budget Analyst notes that, based on a recent review of various Memorandum of Understandings (MOUs) between the City and employee represented organizations, the City currently provides health care benefits to City workers who work a minimum of 1,040 hours per year, or the equivalent of at least 20 hours per week. Therefore, the Budget Analyst raises the equity issue that the proposed ordinance would require private and non-profit employers, as of July 1, 2002, to provide a higher level of health care benefits to their employees than the City currently provides to its own employees. If the proposed ordinance is approved with this provision, the Budget Analyst believes that City employee organizations will request comparable provisions in next year's negotiations. Ms. Emerson advises that such a change in City negotiated MOUs would result in an

estimated additional cost of approximately $3,171,060[1] annually for the City.

Recommendations: 1. Amend the proposed ordinance in Section 12Q.3 on page 12, to require that increases in the hourly rate and maximum pay per week would be subject to the Board of Supervisors approval, since the proposed ordinance permits the Health Commission to authorize increases to the subject $1.50 hourly rate and $60 per week maximum amount, as discussed in Comment No. 2 above.

2. Amend the proposed ordinance in Section 12Q.10 on page 19, to enable a review of the minimum standards every two years, to insure that such standards stay current with State and Federal regulations and existing health benefits practices, as discussed in Comment No. 5 above.

3. Approval of the proposed ordinance, as amended, is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Stephen Kawa

[1] Estimated additional costs of $3,171,060 is based on 1,338 employees who currently work between 15 and 20 hours per week times $2,370, which is the current annual cost per employee for City health benefits.

TOTAL P.02

Healthcare Accountability Ordinance

The Healthcare Accountability Ordinance will add a new condition to the City's lease agreements and contracts requiring that all employers on City-owned property or serving the city on service contracts either:

- provide health insurance to their employees
- pay the City $1.50/hour to offset the costs of providing health care to the uninsured through the Department of Public Health
- participate in a newly created City health benefits program

The Ordinance directs the Department of Public Health to establish a new health benefits program within one year that will make insurance available for both workers covered under this ordinance and other uninsured City residents.

Estimated Number of Uninsured Workers to Benefit: **16,050**

Airport Tenants	5,750
Tenants of other City property (Port, PUC, etc)	5,750
For Profit Service Contractors	1,900
Non Profit Service Contractors	2,650

Estimated Number of Uninsured Workers in SF: **130,000**

The Healthcare Accountability Ordinance will take effect over time as contracts and leases are newly agreed to or existing agreements are amended.

Estimated Cost to the City: **$4 M annually for next three yrs or $12 million total**

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Cost Estimate of Proposed Health Accountability Ordinance

Assumptions
Leaseholders cannot pass through costs
All service contract workers are covered
For Profit - phased in over three years
For Profit - 43% of FT workers uninsured
For Profit - 85% of PT workers uninsured
For Profit - 65% pass through in year one
Non Profit - phased in over two years
Non Profit - 43% of FT workers are uninsured
Non Profit - 67% of PT workers are uninsured
Non Profit - 100% pass through in year one
Non Profit - 90% pass through in second renewal
100% of PT workers will be covered at 20 hours
Pass through cost = $1.50/hr
FT = 2080, PT = 1040

	AVERAGE			PASS
Potepan data from 1999	FT	PT	Total	THROUGH
For Profit	2,762	1,841	4,603	COST
Non Profit	923	3,937	4,860	TO
Total Service Contractors	3,685	5,778	9,463	CITY
FY 01-02	FT	PT	Total	
For Profit	1,222,815	805,585	2,028,400	1,318,460
Non Profit	619,148	2,057,476	2,676,625	2,676,625
Total Cost	**1,841,963**	**2,863,061**	**4,705,024**	**3,995,084**
FY 02-03	FT	PT	Total	
For Profit	1,222,815	805,585	2,028,400	1,318,460
Non Profit	619,148	2,057,476	2,676,625	2,676,625
Total Cost	**1,841,963**	**2,863,061**	**4,705,024**	**3,995,084**
FY 03-04	FT	PT	Total	
For Profit	1,222,815	805,585	2,028,400	1,318,460
Non Profit	619,148	2,057,476	2,676,625	2,408,962
Total Cost	**1,841,963**	**2,863,061**	**4,705,024**	**3,727,422**
Grand Total Cost				**11,717,590**

Memo to Rules Committee
May 17, 2001 Rules Committee Meeting
Item 10 - File 01-0848

REVISED May 15, 2001

Note: An Amendment of the Whole (AOW) has been introduced on the proposed ordinance. The AOW includes six changes which are not anticipated to have any General Fund impact.

Departments: Department of Public Health (DHS)
Department of Administrative Services (DHS)
Purchasing Department
Office of Contract Administration

Item: Ordinance amending the San Francisco Administrative Code by adding Chapter 12Q, encompassing Sections 12Q.1 through 12Q.11, to require contractors that provide services to the City or enter into certain leases with the City and certain subcontractors, subtenants and parties providing services to tenants and subtenants on City property, with respect to covered employees, to offer health plan benefits to employees, to either make payments to the City for use by the Department of Public Health or to make payments directly to employees under limited circumstances, or to participate in a Health Benefits Program developed by the Director of Health.

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Description: The proposed ordinance would add a new Chapter to the City's Administrative Code, Chapter 12Q, to be known as the San Francisco Health Care Accountability Ordinance. In accordance with this new Chapter 12Q, Health Care Accountability Ordinance, specified contractors and subcontractors that provide public works, improvements or services at the expense of the City, as well as tenants and subtenants under leases and subleases on City-owned or City-controlled property, would be required to choose between offering either (1) health plan benefits to specified covered employees or (2) making payments to (a) the City, or (b) the specified covered employees. The effective date of the proposed ordinance would be July 1, 2001 or 30 days after the proposed ordinance is adopted, whichever is later (See Comment No. 8). Under the proposed ordinance, affected contracts, subcontracts, leases, subleases entered into, or amended, after the effective date, may be required to include the subject Health Care Accountability Ordinance provisions.

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In FY 2001-2002, those covered employees that would be entitled to such health plan benefits or payments would include: (1) employees of contractors or subcontractors who work on a City contract or subcontract for 20 hours or more per week or (2) employees of tenants or subtenants who work 20 hours or more per week on property covered by a

City lease or sublease, or (3) employees of contractors or subcontractors that have contracts or subcontracts to perform services on property covered by a lease or sublease if such employees works 20 hours or more per week on the property. Effective July 1, 2002, the number of hours per week that an employee must work to be covered by the proposed ordinance would be reduced from 20 hours to 15 hours or more per week, a reduction of five hours or 25 percent (See Comment No 9).

Those employees that would not be covered by the subject ordinance would include: (1) student employees, under the age of 18 years, or trainees in certain bona fide training programs, provided that such student or trainee employees do not replace, displace or lower the wage or benefits of any existing employees, (2) employees covered by the City's prevailing rate of wages, in accordance with City Charter Section A7.204 and Administrative Code Chapter 6, or (3) disabled employees covered by or eligible for a U.S. Department of Labor sub-minimum wage certificate.

The proposed ordinance also specifies various types of agreements, contracts and leases which would be exempt from the proposed Chapter 12Q provisions, including: (1) agreements that extend for less than one year, (2) agreements that are predominantly for the purchase or lease of goods, or for guarantees, warranties, shipping, delivery, installation or maintenance of such goods, (3) agreements for settlement of legal proceedings, (4) agreements for urgent or specialized advice, consultation or litigation services for the City Attorney's Office, if the City Attorney finds that it would be in the best interests of the City not to include such requirements, (5) agreements for (a) less than $25,000 for for-profit contractors and (b) less than $50,000 for non-profit contractors; however, if the contractor has multiple agreements with the City in a given fiscal year, and the cumulative amount of these contracts is $75,000 or more, these provisions would apply to each such agreement from the date the triggering contract is executed, (6) loan agreements or agreements for investment, management or use of trust assets, or City monies, if compliance would violate the fiduciary duties of the trustees, or the City Treasurer, (7) agreements executed or pursuant to bid packages or requests for proposals advertised prior to the effective date of the subject

ordinance, unless amended, (8) agreements involving the expenditure of Special Funds or other Non-General Fund revenues to the extent that application of this provision would require the City to use General Fund monies to supplement the Special Funds or other Non-General Fund revenues to maintain the current level of services, (9) agreements that require grant fund expenditures awarded to the City by another entity, with regards to such grant funds, (10) agreements pursuant to which the City awards a grant to a nonprofit corporation, (11) agreements with public entities, unless that public entity is the San Francisco Redevelopment Agency, San Francisco Local Agency Formation Commission (LAFCO), San Francisco Transportation Authority, San Francisco Parking Authority or the San Francisco Health Authority, (12) agreements for employee benefits for City employees, if the Director of Human Resources finds no entity to comply with these provisions, (13) agreements for services to tenants or subtenants provided for less than 130 days within a 12-month period, or leases of less than 29 consecutive days in any calendar year, (14) leases that do not provide exclusive use of the property to the tenant, (15) agreements granting franchises or easements, revocable at-will use or encroachment permits on City property, street excavation, construction or use permits or agreements for the use of a City right-of-way, and (16) agreements for using City property under the jurisdiction of Recreation and Park primarily for recreational activities (excluding business operations that provide recreational or entertainment activities).

In addition, if a for profit employer has 20 or fewer employees, or a non-profit employer has 50 or fewer employees, that employer would not be obligated to comply with the subject provisions. In accordance with the proposed ordinance, all employees of all of the employers' parent organizations and subsidiaries would be included in the count for determining the total number of employees.

Under the proposed ordinance, <u>for employees that live in San Francisco or provide services in San Francisco or at the San Francisco Airport or San Bruno Jail</u>, the specified employers (i.e., contractors, subcontractors, tenants, subtenants, etc.) would have the following three options for providing the required health care benefits: (1) offer covered employees health plan benefits that meet the minimum standards prepared by the Director of Public

Health and approved by the Health Commission (See Comment No. 5), (2) pay $1.50 per hour to the City for each hour the covered employee works on the subject City contract or subcontract or property covered by a lease, with such payment not to exceed $60 per week, or the equivalent of the employee working 40 hours per week for each week that the covered employee works the minimum number of hours on a City contract or City property, (3) participate in a Health Benefit Program developed by the Director of Public Health and approved by the Health Commission (See Comment No. 6).

Under the proposed ordinance, for employees who do not live or provide services in San Francisco, or at the San Francisco Airport or San Bruno Jail, the specified employers (i.e., contractors, subcontractors, tenants, subtenants, etc.) would have the following two options for providing the required health care benefits: (1) offer covered employees health plan benefits that meet the minimum standards prepared by the Director of Public Health and approved by the Health Commission (See Comment No. 5), or (2) pay $1.50 per hour to the covered employee for each hour the covered employee works on the subject contract or subcontract or property covered by a lease, with such payment not to exceed $60 per week, or the equivalent of the employee working 40 hours per week, for each week that the covered employee works the minimum number of hours on a City contract or City property. This provision is intended to enable the employee to obtain their own health insurance coverage.

In terms of administering and enforcing the subject ordinance, the Director of Purchasing, in consultation with the Department of Public Health, would be responsible for promulgating such regulations, after holding a public hearing on the matter. In addition, the Director of Purchasing, in consultation with the City Attorney, would develop the specified contractual provisions that need to be used by each City department for inclusion in their contracts and leases. The Director of Purchasing may audit contractors and investigate complaints of noncompliance. If the Director of Purchasing determines that a contractor has violated Chapter 12Q, the Director may: (1) charge the offending employer the amounts that should have been paid

to the City, including interest, (2) assess liquidated damages of $50 per day for each covered employee each day that the offending employer failed to pay the City the required amounts, (3) set off the amount that the offending employer owes to the City against the amounts due to the contracting party, (4) terminate the contract or lease in whole or in part, or (5) bar the offending employer from entering into future contracts or leases with the City for three years.

In addition to the exemptions discussed above, the Director of Purchasing, in consultation with the Department of Public Health, may waive the requirements of the proposed Chapter 12Q for the following reasons: (1) there is only one prospective contractor or tenant, or for sole source contracts, (2) emergency situations, (3) there are no qualified responsive bidders for a service, lease or project that is essential to the City, (4) there would be an adverse impact on services or an unreasonable adverse financial impact on the City. Such waivers would only be effective for the duration of that contract or lease period. Under specified conditions, the General Manager of the Public Utilities Commission could also waive the requirements of the subject Chapter 12Q for certain contracts for the provision, conveyance or transmission of wholesale or bulk water, electricity or natural gas and other ancillary requirements, provided that the purchase of such services cannot be accomplished through the City's standard competitive bidding procedures and the contractor or subcontractor is not providing direct, retail services to end users within the City.

Under the proposed ordinance, each contractor would be responsible for its subcontractors and each tenant would be responsible for each subtenant, contractor and subcontractor performing services on property covered by the tenant's lease, with respect to compliance with this ordinance.

The Director of Purchasing and the Department of Public Health would be required, under the proposed ordinance, to provide an annual joint report to the Board of Supervisors on the City's compliance with this Chapter, including cumulative information on the number of waivers granted.

Comments:

1. The proposed ordinance states that employers should be primarily responsible for offering health care benefits to their employees to enhance the quality of services provided. The proposed ordinance would require that specified City contractors, subcontractors, tenants and subtenants on City property provide health benefits directly or pay for such benefits for their covered employees. The proposed ordinance also states that the City has a significant interest in reducing the costs it incurs in providing medical care to uninsured individuals at San Francisco General Hospital and other City health care facilities. Although the DPH cannot separate the costs of providing care for uninsured individuals from indigent individuals, currently, according to Ms. Monique Zmuda of DPH, the City provides health care directly to both uninsured and indigent individuals through San Francisco General Hospital and other City Department of Public Health clinics at an estimated cost of approximately $180 million annually. Ms. Taylor Emerson of the Mayor's Office advises that based on the most recent survey that was conducted three years ago for the Mayor's Blue Ribbon Committee on Universal Health Care, there are approximately 130,000 uninsured individuals in San Francisco.

As shown in Attachment I provided by Ms. Emerson, an estimated 16,050 of uninsured workers would benefit from the proposed ordinance. This includes 1,900 for profit contractors, 2,650 non-profit contractors, 5,750 Airport tenants and 5,750 tenants on other City property (Port, PUC, etc.)

2. In accordance with the proposed ordinance, the $1.50 per hour payment to the covered employee, not to exceed $60 per week, represents the City's current estimate of the average cost to obtain individual health insurance benefits. The $1.50 per hour payment to the City, not to exceed $60 per week, is intended to partially offset the City's cost to provide health care to uninsured workers. The proposed ordinance also states that the Health Commission may increase this $1.50 hourly rate and $60 per week maximum, in accordance with the U.S. Department of Labor's Bureau of Labor Statistics Consumer Price Index for Medical Care in the San Francisco Bay Area or such other factors the Health Commission finds appropriate in order to track the cost of obtaining individual health insurance, provided that the Health Commission shall take

this action no more than once a year. The Budget Analyst notes that this provision, to increase the $1.50 hourly rate and $60 per week maximum amount would result in changes to the proposed ordinance, which should be subject to the Board of Supervisors approval. Therefore, the Budget Analyst recommends that the proposed ordinance be amended to reflect that such changes would be subject to approval by the Board of Supervisors.

3. As shown the Attachment II, provided by Ms. Emerson, the proposed ordinance is estimated to cost approximately $3,995,084 in FY 2001-2002, including approximately $1,318,460 from for profit contractors and subcontractors and $2,676,625 from non-profit contractors and subcontractors. Such additional costs are a result of various City departments being required to pay more for contracts and subcontracts, since the contractors and subcontractors would pass through to the City the employers' additional costs of providing such health care benefits to their employees. Ms. Emerson advises that if the proposed ordinance is approved, the Mayor's Office would fund an additional $4 million for General City Responsibilities to cover such additional expenditures Citywide.

It should be noted that there would be no increased costs to the City for those employees of leases or subleases since there is no pass-through mechanism under such leases or subleases. However, the Budget Analyst notes that requiring leases and subleases to provide health benefits to employees will likely result in increased costs for such employers, and may ultimately reduce the amount of revenues paid to the City, under such leases and subleases, particularly at the Port and Airport. Ms. Emerson advises that, as of the writing of this report, such potential revenue losses have not been estimated.

As shown in Attachment II, comparable costs of $3,995,084 are estimated to be incurred in FY 2002-2003 and in FY 2003-2004 an estimated $3,727,422 is estimated to be incurred. Ms. Emerson advises that a slightly lower cost is estimated in the third year, as it is assumed that approximately ten percent of the non-profit providers will begin absorbing the additional costs for health care and not

pass through all such costs to the City. As shown in the Attachment, the estimated three-year additional cost to the City from the proposed legislation is approximately $11,717,590.

In addition, Ms. Emerson advises that the proposed ordinance is estimated to generate approximately $550,000 of new revenues during the first year for DPH from the $1.50 per hour paid to the City for each hour that employees work on the subject City contract or subcontract or property covered by a lease. The Budget Analyst notes that all such revenues would be subject to the Board of Supervisors appropriation approval. According to Ms. Emerson, the estimated additional $550,000 of revenues would be deposited into a separate account and used to offset a portion of the required salary savings for primary care clinics in the Community Health Network, permitting the Department of Public Health to hire additional staff into currently budgeted positions, that would otherwise remain vacant. According to Ms. Emerson, revenue projections for the DPH after the first year cannot be determined at this time, since it will depend on how quickly the Health Benefits Program can be implemented, the number of employers that decide to provide their own health insurance coverage or enroll in the Health Benefits Program as well as the cost of that Program.

In terms of noncompliance with this legislation, the proposed ordinance provides that the City may (1) charge the offending employer the amounts that should have been paid to the City, including interest, (2) assess liquidated damages of $50 per day for each covered employee each day that the offending employer failed to pay the City the required amounts, (3) set off the amount that the offending employer owes to the City against the amounts due to the contracting party, or (4) assess other nonmonetary provisions. Ms. Emerson advises that, as of the writing of this report, the Mayor's Office cannot estimate the amount of additional revenues that may be received from such remedies. The proposed ordinance states that any revenues received from violations of this Chapter would first be used to cover the costs of enforcement and thereafter appropriated for the use of the Department of Public Health. The Budget Analyst notes that all such revenues

would be subject to the Board of Supervisors appropriation approval.

4. The proposed ordinance states that, if the City creates an Office of Contract Administration (OCA), the respective Director of the OCA would assume the administrative and enforcement responsibilities of the subject Health Care Accountability Ordinance. The Budget Analyst notes that a supplemental appropriation ordinance and salary ordinance (Files 01-0677 and 01-0678) are currently pending before the Board of Supervisors to create and fund an Office of Contract Administration in the Department of Administrative Services. Based on the recommendations of the Finance Committee on May 9, 2001, the proposed new Office of Contract Administration would include seven new positions, including two Contract Compliance Officer II, three Contract Compliance Officer Is, one Management VIII and one Senior Clerk Typist, at an estimated maximum annual salary and fringe benefit cost of $672,922 to administer the Minimum Compensation Ordinance, the subject Health Care Accountability Ordinance and the prevailing wage provisions of the Administrative Code. Based on the Budget Analyst's recent review of this supplemental appropriation request and accompanying Salary Ordinance, OCA does not have any information regarding the number of contractors and covered employees that would be subject to the proposed Health Care Accountability Ordinance. Therefore, the Budget Analyst advises that no additional positions should be funded for this new program until details of the expected workload and performance objectives for the Health Care Accountability Ordinance are developed.

5. Although the proposed ordinance requires that the Director of DPH prepare and the Health Commission approve minimum standards for a health plan, as of the writing of this report, such minimum standards have not yet been prepared. Under the proposed ordinance, if the Health Commission has not approved minimum standards for such health plan benefits by the effective date of this ordinance, the Director of Purchasing may suspend enforcement of this Chapter for a period of up to 30 days to provide sufficient time for the Health Commission to take such actions. According to Ms. Tangerine Brigham of DPH, such minimum standards are currently being developed

based on reviews of the existing range of health benefits, not including dental or vision benefits, provided by such providers as Kaiser Permanente, HealthNet, Blue Cross/Blue Shield, etc. Ms. Brigham advises that such minimum standards are anticipated to be brought to the Health Commission for review and approval in June of 2001. The Budget Analyst notes that the proposed ordinance does not allow for subsequent review or changes to these minimum standards. Based on discussions with Ms. Brigham regarding this issue, the Budget Analyst recommends that the proposed ordinance be amended to permit review and possible changes in the minimum standards every two years, to insure that such minimum standards are in compliance with State and Federal regulations, and existing health benefit practices.

6. The proposed ordinance also states that the Director of Public Health has 12 months from the time the proposed ordinance is finally approved to seek the Health Commission's approval of a Health Benefits Program. Ms. Brigham advises that a Health Benefits Program would enable those private and non-profit employers who have difficulty purchasing health insurance on the open market for their employees to participate in a pool with other employers in order to collectively purchase health insurance benefits for their employees. In developing this Program, the proposed ordinance states that the Director of Public Health shall (a) attempt to make health coverage available for uninsured covered employees and, if feasible, for other uninsured City residents, (b) use public health facilities to the maximum extent practicable, (c) make the program economically viable and (d) provide a mechanism for funding which relies, as much as possible, on contributions by participating employers and employees. Ms. Brigham advises that the proposed Health Benefits Program would have to be licensed by the State of California, and such licensing can take up to six months for approval. The costs to employers of the proposed Health Benefits Program will depend on how many employers require participation, the number of employees involved, the level of health benefits provided and various other factors such that the costs cannot be estimated at this time, according to Ms. Brigham.

7. Mr. Errol Fitzpatrick, the City's Risk Manager advises that the proposed ordinance provides sufficient risk management protections for the City.

8. The proposed ordinance's effective date is July 1, 2001 or 30 days after the proposed ordinance is adopted, whichever is later. Ms. Emerson advises that if the proposed ordinance is effective by at least July 1, 2001, all of the new or renewed contracts and leases, which take effect with the new fiscal year on July 1, 2001, would be subject to the proposed ordinance. However, if the proposed ordinance does not become effective until after July 1, 2001, most City contracts and leases would not be subject to the proposed provisions until the following fiscal year, beginning on July 1, 2002.

9. The proposed ordinance would require private and non-profit contractors, subcontractors and lessors to provide or pay for health care benefits for their covered employees who work at least 20 hours per week, beginning on the effective date of the proposed ordinance. Effective July 1, 2002, or approximately one year later, the number of hours that an employee must work to be covered by the proposed ordinance would be reduced from 20 hours or more per week to 15 hours or more per week, a reduction of five hours or 25 percent. However, the Budget Analyst notes that, based on a recent review of various Memorandum of Understandings (MOUs) between the City and employee represented organizations, the City currently provides health care benefits to City workers who work a minimum of 1,040 hours per year, or the equivalent of at least 20 hours per week. Therefore, the Budget Analyst raises the equity issue that the proposed ordinance would require private and non-profit employers, as of July 1, 2002, to provide a higher level of health care benefits to their employees than the City currently provides to its own employees. If the proposed ordinance is approved with this provision, the Budget Analyst believes that City employee organizations will request comparable provisions in next year's negotiations. Ms. Emerson advises that such a change in City negotiated MOUs would result in an estimated additional cost of approximately $3,171,060[1] annually for the City.

[1] Estimated additional costs of $3,171,060 is based on 1,338 employees who currently work between 15 and 20 hours per week times $2,370, which is the current annual cost per employee for City health benefits.

Recommendations:

1. Amend the proposed ordinance in Section 12Q.3 on page 12, to require that increases in the hourly rate and maximum pay per week would be subject to the Board of Supervisors approval, since the proposed ordinance permits the Health Commission to authorize increases to the subject $1.50 hourly rate and $60 per week maximum amount, as discussed in Comment No. 2 above.

2. Amend the proposed ordinance in Section 12Q.10 on page 19, to enable a review of the minimum standards every two years, to insure that such standards stay current with State and Federal regulations and existing health benefits practices, as discussed in Comment No. 5 above.

3. Approval of the proposed ordinance, as amended, is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
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Healthcare Accountability Ordinance

The Healthcare Accountability Ordinance will add a new condition to the City's lease agreements and contracts requiring that all employers on City-owned property or serving the city on service contracts either:

- provide health insurance to their employees
- pay the City $1.50/hour to offset the costs of providing health care to the uninsured through the Department of Public Health
- participate in a newly created City health benefits program

The Ordinance directs the Department of Public Health to establish a new health benefits program within one year that will make insurance available for both workers covered under this ordinance and other uninsured City residents.

Estimated Number of Uninsured Workers to Benefit: **16,050**

Airport Tenants	5,750
Tenants of other City property (Port, PUC, etc)	5,750
For Profit Service Contractors	1,900
Non Profit Service Contractors	2,650

Estimated Number of Uninsured Workers in SF: **130,000**

The Healthcare Accountability Ordinance will take effect over time as contracts and leases are newly agreed to or existing agreements are amended.

Estimated Cost to the City: **$4 M annually for next three yrs or $12 million total**

MAY-14-2001 09:51 MAYORS BUDGET LEGISLATIVE 415 554 6158 P.02/02

Cost Estimate of Proposed Health Accountability Ordinance

Assumptions
Leaseholders cannot pass through costs
All service contract workers are covered
For Profit - phased in over three years
For Profit - 43% of FT workers uninsured
For Profit - 85% of PT workers uninsured
For Profit - 65% pass through in year one
Non Profit - phased in over two years
Non Profit - 43% of FT workers are uninsured
Non Profit - 67% of PT workers are uninsured
Non Profit - 100% pass through in year one
Non Profit - 90% pass through in second renewal
100% of PT workers will be covered at 20 hours
Pass through cost = $1.50/hr
FT = 2080, PT = 1040

	AVERAGE			PASS
Potepan data from 1999	FT	PT	Total	THROUGH
For Profit	2,762	1,841	4,603	COST
Non Profit	923	3,937	4,860	TO
Total Service Contractors	3,685	5,778	9,463	CITY

FY 01-02	FT	PT	Total	
For Profit	1,222,815	805,585	2,028,400	1,318,460
Non Profit	619,148	2,057,476	2,676,625	2,676,625
Total Cost	**1,841,963**	**2,863,061**	**4,705,024**	**3,995,084**

FY 02-03	FT	PT	Total	
For Profit	1,222,815	805,585	2,028,400	1,318,460
Non Profit	619,148	2,057,476	2,676,625	2,676,625
Total Cost	**1,841,963**	**2,863,061**	**4,705,024**	**3,995,084**

FY 03-04	FT	PT	Total	
For Profit	1,222,815	805,585	2,028,400	1,318,460
Non Profit	619,148	2,057,476	2,676,625	2,408,962
Total Cost	**1,841,963**	**2,863,061**	**4,705,024**	**3,727,422**

Grand Total Cost 11,717,590

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, May 17, 2001 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Jake McGoldrick.

Members Absent: Tom Ammiano.

Meeting Convened

The meeting convened at 1:08 pm.

Supervisor McGoldrick was appointed to serve as a member of the Rules Committee for the May 17, 2001 regular meeting.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

Supervisor Gonzalez indicated the matter relating to the Assessment Appeals Board No. 1. File 010261. (See infra)

The matter relating to Equal Access Services. File 010409. (See infra)

Supervisor McGoldrick indicated the matter relating to Vacancy in an Elective Office. File 010540. (See infra)

Supervisor Gonzalez indicated the matter relating to Health Plan Benefits-Contractors. File 010848. (See infra)

REGULAR AGENDA

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010261 **[Appointment]**
Hearing to consider appointing one member to the Assessment Appeals Board No. 1.

1 Seat Being Considered:
Seat 3, succeeding Ermelinda Trevino, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, unexpired portion of a three-year term expiring September 2, 2002.
2/7/01, RECEIVED AND ASSIGNED to Rules Committee.
4/5/01, CONTINUED. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; John Devlin, Acting Administrator, Assessment Appeals Board; Thomas Ramm; Gilbert Criswell, Marilyn Cosentino; Davy Jones; Peter Fatooh, Commissioner, Assessment Appeals Board.
(Continued to May 17, 2001.)

Supervisor Gonzalez requested that this item be continued to the call of the chair.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, McGoldrick
Absent: 1 - Ammiano

010516 **[Appointment]**
Hearing to consider appointing six members to the Immigrant Rights Commission.

6 Seats Being Considered:
Vacant seat, succeeding Thou Ny, Seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Vacant seat, succeeding Richard Ow, Seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003;
Vacant seat, succeeding Renee Saucedo, Seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Vacant seat, succeeding Philip Nguyen, Seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Vacant seat, succeeding Anita Friedman, Seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003;
Vacant seat, succeeding Samuel Assefa, Seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003.
3/15/01, RECEIVED AND ASSIGNED to Rules Committee.
3/15/01, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 001189.

Continued to June 7, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, McGoldrick
Absent: 1 - Ammiano

010775 **[Appointment]**

Hearing to consider appointing two members to the Bicycle Advisory Committee.

2 Seats Being Considered:
Vacant Seat, succeeding Suzanne Richter, resigned, Seat 7, must be a bicyclist-at-large, for the unexpired portion of a three-year term ending December 31, 2001;
Vacant Seat, succeeding Lawrence Li, resigned, Seat 9, must be a bicyclist-at-large, for the unexpired portion of a three-year term ending December 31, 2001.

4/26/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Scott Durcanin.

Continued to June 7, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, McGoldrick
Absent: 1 - Ammiano

010409 **[Equal Access to Services]**

Supervisors Leno, Gonzalez, Sandoval, Yee, Ammiano, Peskin, Maxwell, Daly, McGoldrick

Draft ordinance amending San Francisco Administrative Code by adding Chapter 89 to require City departments to offer bilingual services and materials if a substantial or concentrated portion of the public utilizing their services does not speak English effectively because it is not their primary language.

3/5/01, RECEIVED AND ASSIGNED to Rules Committee.

5/14/01, TRANSFERRED to Finance Committee.

This item was transferred to the Finance Committee on May 14, 2001.

010840 **[Elections Task Force]**

Ordinance creating the Elections Task Force to redraw Board of Supervisor district lines pursuant to the provisions set forth in Charter Section 13.110(d) following the 2000 federal census. (Clerk of the Board)

5/7/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Phillip Paris, Director, Department of Elections; Ted Lakey, Deputy City Attorney; Gloria L. Young, Clerk of the Board.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, McGoldrick
Absent: 1 - Ammiano

010862 **[Special Offsite Meeting, Audit, Labor and Government Efficiency Committee]**

Supervisors Newsom, Daly

Motion setting a special offsite meeting of the Audit, Labor and Government Efficiency Committee for the purpose of receiving community input on the following items concerning Single Room Occupancy (SRO) Hotels; File Numbers 00-1926, 00-1185, 01-0024, and 01-0526. (Tuesday, June 12, 2001 - 3:30 p.m. to 6:30 p.m. Seneca Hotel lobby, 34-6th Street.)

5/7/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Ted Lakey, Deputy City Attorney.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, McGoldrick
Absent: 1 - Ammiano

010701 **[Time limits for public speakers who request translation assistance]**

Supervisor Maxwell

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 1.2.1, which will provide twice the amount of speaking time for public speakers who request translation assistance at meetings of the Board of Supervisors and Board Committees.

4/16/01, RECEIVED AND ASSIGNED to Rules Committee.

Continued to June 7, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, McGoldrick
Absent: 1 - Ammiano

010009 **[Payment for services of Police Officers]**

Supervisor Yee

Ordinance amending Chapter 10B Section 10B.2 of the San Francisco Administrative Code to reinstate administrative overhead fee.

1/2/01, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 2/1/2001.

2/1/01, TRANSFERRED to Rules Committee. New committee structure.

5/3/01, CONTINUED. Continued to May 17, 2001.

Continued to June 7, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, McGoldrick
Absent: 1 - Ammiano

010540 **[Vacancy in an Elective Office]**

Supervisors McGoldrick, Ammiano

Charter amendment (First Draft) to amend Sections 2.102, 3.102, 6.107, 8.100 and 8.101 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

3/26/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/25/2001.

5/3/01, CONTINUED. Heard in Committee. Speakers: Supervisor McGoldrick; Ted Lakey, Deputy City Attorney; Caleb Kleppaer; American Kepner; Janet Carpinelli; Gilbert Criswell; Michael Nolty.

Continued to May 17, 2001.

Supervisor McGoldrick requested that this item be continued to the Call of the Chair.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, McGoldrick
Absent: 1 - Ammiano

010848 **[Health Plan Benefits - Contractors]**

Mayor

Ordinance amending the San Francisco Administrative Code by adding Chapter 12Q, encompassing Sections 12Q.1 through 12Q.11, to require contractors that provide services to the City or enter into certain leases with the City, and certain subcontractors, subtenants and parties providing services to tenants and subtenants on City property, with respect to covered employees, to offer health plan benefits to employees, to make payments to the City for use by the Department of Public Health, to make payments directly to employees under limited circumstances, or to participate in a health benefits program developed by the Director of Health. (Mayor)

5/7/01, RECEIVED AND ASSIGNED to Rules Committee.

5/14/01, SUBSTITUTED. The Mayor submitted a substitute ordinance bearing same title, and requests this item be considered at the May 17, 2001 meeting.

5/14/01, ASSIGNED to Rules Committee.

Supervisor Gonzalez requested that this item be moved to the beginning of the agenda.

Heard in Committee. Speakers: Steve Kawa, Mayor's Office; Tangerine Brigham, Department of Public Health; Debra Newman, Budget Analyst's Office; Ted Lakey, Deputy City Attorney; Ken Jacobs, Bay Area Organizing Committee; Father Peter Sammon; Ernestine Weiss; Stephen Cornell, Small Business Commission; Scott Havje; Pedro Mendez, Machinist Union; Rory Desmond, Bay Area Organizing Committee; Ronald Castor; Sister Kathleen Healy, BAOC; Charles Netherby, International Association of Machinists 1414; Vicky Winston; Karl Kramer; Barry Hermanson; Dale Butler, SEIU 1118; Tim West; Richard Ow; Jim Illig, Human Services Network; Aleeta VanRimkle, Deputy City Attorney; Glynn Washington, Human Services Network; Clarissa Callin; Nathan Nayman; Ann Lazarus; Jim Mathias; Mark Gruger.

Supervisor McGoldrick excused from voting.

Amendment of the whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Referred to the Finance Committee.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano
Excused: 1 - McGoldrick

ADJOURNMENT

The meeting adjourned at 4:10 pm.

City and County of San Francisco
Meeting Minutes
Rules Committee

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, May 17, 2001 | **4:00 PM** | **City Hall, Room 263**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Jake McGoldrick, Leland Y. Yee.

Members Absent: Tom Ammiano.

Meeting Convened

The meeting convened at 4:10 pm.

Supervisor McGoldrick and Supervisor Yee were appointed to serve as members of the Rules Committee for the May 17, 2001 special meeting.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

There were no requests for changes to the agenda.

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REGULAR AGENDA

010508 **[Norcal Proposal for Rate Increase]**
Supervisors McGoldrick, Ammiano

Hearing to consider Norcal's proposal to the City for a rate increase on its contract for collection of trash.
3/19/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Yee; Supervisor McGoldrick; Brad Benson, aide to Supervisor Ammiano; Rona Sandler, Deputy City Attorney; Tina Olson, Department of Public Works; Peter Holtzclaw; Bob Morales; Mark Murray, California Against Waste; Michael Sangiacomo, Norcal Waste Systems Inc.; Robert Haley, Solid Waste Program; Mark Remile; Ron Proto, Sunset Scavenger Co.; Archie Humphrey; Colette Crutcher; Nancy Wuerfel; Denise Delmatier; Cynthia Bronizonia; Stan Warren; Debby Dunn; Maurice Quillen; Burley Date; Kathryn Meola; Adam Alberti; Christi Gate; Lisa Smith; Ken Pianin; John Loudan; John Leonitto; Ama Ma; Mike Mahoney; Inspector Eric Olson, San Francisco Police Department; Fred Martin; Mike Bevago; Inga Davis; Terry Nemoff; Kaden Lee Nemoff; Matt; Cory Calandra, SLUG; male.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, McGoldrick, Yee
Absent: 2 - Hall, Ammiano

010807 **[Garbage Rate Increases Proposal]**

Supervisor Yee

Hearing regarding the 2001 garbage rate increase proposal and the rate application from Sanitary Fill Company, Sunset Scavenger Company, and Golden Gate Disposal and Recycling Company and the changes in service; such as, the Fantastic Three recycling proposal.

4/30/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Yee; Supervisor McGoldrick; Brad Benson, aide to Supervisor Ammiano; Rona Sandler, Deputy City Attorney; Tina Olson, Department of Public Works; Peter Holtzclaw; Bob Morales; Mark Murray, California Against Waste; Michael Sangiacomo, Norcal Waste Systems Inc.; Robert Haley, Solid Waste Program; Mark Remile; Ron Proto, Sunset Scavenger Co.; Archie Humphrey; Colette Crutcher; Nancy Wuerfel; Denise Delmatier; Cynthia Bronizonia; Stan Warren; Debby Dunn; Maurice Quillen; Burley Date; Kathryn Meola; Adam Alberti; Christi Gate; Lisa Smith; Ken Pianin; John Loudan; John Leonitto; Ama Ma; Mike Mahoney; Inspector Eric Olson, San Francisco Police Department; Fred Martin; Mike Bevago; Inga Davis; Terry Nemoff; Kaden Lee Nemoff; Matt; Cory Calandra, SLUG; male.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, McGoldrick, Yee
Absent: 2 - Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 6:51 pm.

City and County of San Francisco
Meeting Minutes
Rules Committee

City Hall
1 Dr. Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Wednesday, May 30, 2001 **2:00 PM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tom Ammiano, Aaron Peskin.

Members Absent: Tony Hall.

Meeting Convened

The meeting convened at 3:28 pm.

Board President Ammiano appointed Supervisor Peskin to serve on the Rules Committee for today's meeting only.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

There were no requests for changes to the agenda.

REGULAR AGENDA

011004 **[Appointment]**
Resolution appointing Supervisor Tony Hall, term ending February 1, 2005, to the Bay Area Air Quality Management District, Board of Directors.

Supervisor Tony Hall, succeeding Supervisor Aaron Peskin, resigned, Seat No. 1, must be a member of the San Francisco Board of Supervisors, for the unexpired portion of a four-year term ending February 1, 2005.
5/23/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: none.

RECOMMENDED by the following vote:
Ayes: 2 - Gonzalez, Peskin
Absent: 2 - Hall, Ammiano

10918 **[Appointment - Planning Commission]**

Motion approving the Mayor's appointment of Myrna Lim to the Planning Commission, for the term ending January 15, 2002. (Mayor)

(Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.)
(Transmittal date - May 11, 2001.)

5/11/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by June 4, 2001.

Heard in Committee. Speakers: Taline Sanassarian, Mayor's Office; Myrna Lim, Commissioner, Planning Commission; Alice Bulos; Luz De Leon, Philippine Resource Center; Anita Theoharis, President, Planning Commission; Supervisor Chris Daly; Steven Currier, Outer Mission Residents Association; Gary Aranal; male; male; Jose Caedo, Filipino American Democratic Club; Domingo Viray; Barbara Farrell, Ohlhoff Recovery Programs; Major Demetrio Carino; Anita Sanchez; Coleen Dowling, National Women's Political Caucus; Richard Ow; Ms. Hermanez; male; John Bardis.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Ammiano, Peskin
Absent: 1 - Hall

10919 **[Appointment - Planning Commission]**

Mayor

Motion rejecting the Mayor's appointment of Myrna Lim to the Planning Commission. (Mayor)

(Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.)
(Transmittal date - May 11, 2001.)

5/11/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board June 4, 2001.

Heard in Committee. Speakers: Taline Sanassarian, Mayor's Office; Myrna Lim, Commissioner, Planning Commission; Alice Bulos; Luz De Leon, Philippine Resource Center; Anita Theoharis, President, Planning Commission; Supervisor Chris Daly; Steven Currier, Outer Mission Residents Association; Gary Aranal; male; male; Jose Caedo, Filipino American Democratic Club; Domingo Viray; Barbara Farrell, Ohlhoff Recovery Programs; Major Demetrio Carino; Anita Sanchez; Coleen Dowling, National Women's Political Caucus; Richard Ow; Ms. Hermanez; male; John Bardis.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Ammiano, Peskin
Absent: 1 - Hall

10920 **[Appointment - Planning Commission]**

Motion taking no position concerning the Mayor's appointment of Myrna Lim to the Planning Commission, for term ending January 15, 2002. (Mayor)

(Charter Section 3.100 provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.)
(Transmittal date - May 11, 2001.)
(Supervisor Gonzalez dissenting in Committee.)

5/11/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board June 4, 2001.

Heard in Committee. Speakers: Taline Sanassarian, Mayor's Office; Myrna Lim, Commissioner, Planning Commission; Alice Bulos; Luz De Leon, Philippine Resource Center; Anita Theoharis, President, Planning Commission; Supervisor Chris Daly; Steven Currier, Outer Mission Residents Association; Gary Aranal; male; male; Jose Caedo, Filipino American Democratic Club; Domingo Viray; Barbara Farrell, Ohlhoff Recovery Programs; Major Demetrio Carino; Anita Sanchez; Coleen Dowling, National Women's Political Caucus; Richard Ow; Ms. Hermanez; male; John Bardis.

RECOMMENDED by the following vote:

Ayes: 2 - Ammiano, Peskin
Noes: 1 - Gonzalez
Absent: 1 - Hall

ADJOURNMENT

The meeting adjourned at 5:35 pm.

City and County of San Francisco
Meeting Minutes
Rules Committee

City Hall
1 Dr. Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, May 31, 2001 **12:00 PM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Gerardo Sandoval.

Members Absent: Tom Ammiano.

Meeting Convened

The meeting convened at 12:10 pm.

Board President Ammiano appointed Supervisor Sandoval to serve on the Rules Committee for today's meeting only.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

There were no requests for changes to the agenda.

REGULAR AGENDA

010972 **[Citizens Advisory Committee on Election]**

Supervisor Sandoval

Hearing to examine the management process of the Department of Elections and the process by which members of the Citizens Advisory Committee on Elections are elected to assure that members are committed to the Department of Elections' mission to carry out fair and open elections.

5/21/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Sandoval; Joseph McGwuire, election worker, Department of Elections; Bill Lee, City Administrator; Ted Lakey, Deputy City Attorney; John Henry Pierce, aide to Supervisor Gonzalez; Ryan Brooks, Director, Administrative Services; David Pilpel; Vito Corsia; Joe Breven; Mr. Asedelfia; Gilbert Criswell; Mr. Bowman; Doug Comstock; Bob Planthold; male.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Sandoval
Absent: 1 - Ammiano

10973 **[Missing Ballots]**

Supervisors Hall, Ammiano, Gonzalez

Hearing on the allegations of 3,600 missing ballots from the November, 2000 election.

5/21/01, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the May 31, 2001 meeting.

Heard in Committee. Speakers: Supervisor Sandoval; Joseph McGwuire, election worker, Department of Elections; Bill Lee, City Administrator; Ted Lakey, Deputy City Attorney; John Henry Pierce, aide to Supervisor Gonzalez; Ryan Brooks, Director, Administrative Services; David Pilpel; Vito Corsia; Joe Breven; Mr. Asedelfia; Gilbert Criswell; Mr. Bowman; Doug Comstock; Bob Planthold; male.

Continued to June 21, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Sandoval
Absent: 1 - Ammiano

ADJOURNMENT

The meeting adjourned at 3:42 pm.

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF SPECIAL MEETING

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the Rules Committee will hold a special meeting on **June 5, 2001 at 7:00 p.m.,** at the Horace Mann Academic Middle School, 3351 Twenty-Third Street, between Valencia Street and Bartlett Street in San Francisco, California.

An agenda will be available 72 hours prior to the meeting on the Internet and in hard copy at the Clerk of the Board's office. For more information telephone (415) 554-5184 or write to Clerk's Office, Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA. 94102

Gloria L. Young, Clerk of the Board

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RULES COMMITTEE
S.F. BOARD OF SUPERVISORS
CITY HALL, ROOM 244
1 DR. CARLTON B GOODLETT PLACE
SAN FRANCISCO, CA 94102-4689

IMPORTANT HEARING NOTICE!!!

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City and County of San Francisco
Meeting Minutes - DRAFT
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Tuesday, June 05, 2001 **7:00 PM** **Horace Mann Academic Middle School, 3351 -23rd St., Auditorium**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

The meeting convened at 7:00 pm.

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AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

There were no requests for changes to the agenda.

REGULAR AGENDA

010857 **[Day Laborer's Program]**

Supervisor Ammiano

Hearing on the status of the Day Laborer's Program.

5/7/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: female; Jamie Ross; Mara Roman; female; Jim Reed; Mike Hiltie; Connie Ramirez-Webber; Jane Perry; female; male; Justin Fortune; Regina DelBrao; Slyvia Martial; female; Fran Taylor; Ms. Friedenbach; Howard Wallace, Local 250; Naomi; Lia; Otis Lieber; female; Alex Ratner; Ann Kusner; Jose Charia; Jugela Seka; Dan Markmann; male; Anna Miguel Hoya; Rena De-Sefa; female; female; Will Brady; Christian Cavall; Donna Mendall; Carl Krammer; male; male; Bill Giltian; Wilfredo DelWeda; Bertha Hernandez; Chico Vea; Ms. Juligas; Richard Midas; Ron Bearson; Kim Machestie.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 9:03 pm.

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

June 4, 2001

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TO: Rules Committee

FROM: Budget Analyst

SUBJECT: June 7, 2001 Rules Committee Meeting

Item 5 – File 01-0009

Note: This item was continued by the Rules Committee at its meeting of May 17, 2001.

Department: Police Department

Item: Ordinance amending Chapter 10B, Section 10B.2, of the Administrative Code to reinstate an Administrative Overhead Fee.

Description: Currently, Section 10B.2 of the City's Administrative Code requires that a person, corporation, firm, or organization requesting City Police services for a special event reimburse the Police Department for the cost of the services provided, including the rate of pay for the uniformed officers performing the services, and the cost of equipment and materials expended. The costs charged to the sponsors of the special event reimburse the Police Department for the expenditures incurred by the Department and are deposited in a special restricted fund, designated as the Special Law Enforcement Services (SLES) Fund.

The proposed ordinance would amend Section 10B.2 to require that the party requesting Police services must also pay to the City's General Fund, in addition to reimbursing

the Police Department for the costs of the Department's services, an Administrative Overhead Fee equal to 15 percent of the cost of the Police services for the special event. Under the proposed ordinance, the Board of Supervisors would be authorized to waive this 15 percent Administrative Overhead Fee upon demonstration that paying the fee would be a hardship on the party requesting the Police services. The subject ordinance explicitly states that only the Board of Supervisors, and not the Police Department, would have such authority to waive the Administrative Overhead Fee.

The proposed ordinance would continue to require that the cost of the City's Police services for a special event be based on the actual rate of pay for the Uniformed Officers performing the services, including overtime if necessary, and the other actual costs incurred by the Police Department for the special events, such as equipment and materials.

Comments:

1. According to Captain John Goldberg of the Police Department, during FY 1999-2000 the Police Department was reimbursed for a total of $6,547,467 in costs charged to parties requesting Police Department Services.[1] Based on that FY 1999-2000 amount of $6,547,467, the Police Department would collect an additional estimated $982,120 annually if the proposed 15 percent Administrative Overhead Fee were imposed. As previously noted, all of the proposed Administrative Overhead Fee would be deposited into the City's General Fund.

2. As stated previously, the City Administrative Code, Section 10B.2, currently authorizes the Police Department to charge third parties requesting City Police services for the actual rate of pay for the Uniformed Officers performing the services, including overtime if necessary, and the other actual costs incurred by the Police Department for the special events, such as equipment and materials. Currently, the Administrative Code does not include provisions for charging for administrative costs,

[1] This amount of $6,547,467 in fees charged to parties requesting Police Department Services does not include an additional $297,105 charged to parties during Fiscal Year 1999-2000 under the prior 22.5 percent Administrative Overhead Fee, eliminated in January of 2000 and discussed in Comment No. 2.

such as payroll, billing the third parties, management oversight and the Controller's processing services. According to Captain Goldberg, the Police Department does not charge third parties for the administrative costs to the Police Department of providing such services. Instead, the Police Department absorbs such administrative costs in the Department's annual budget.

According to the Office of the Sponsor of the proposed ordinance, proceeds from the proposed 15 percent Administrative Overhead Fee would reimburse the City's General Fund for monies already provided in the Police Department's annual budget to cover the administrative overhead costs incurred from providing City Police services to third parties, such payroll, billing the third parties, management oversight and the Controller's processing services.

3. Captain Goldberg advises that the Police Department generally does not charge third parties requesting City Police Services for the cost of equipment and materials expended, even though the Department is authorized to do so by the Administrative Code, Section 10B.2, because the Department has no mechanism for determining such costs.[2] The Budget Analyst recommends that the proposed ordinance be amended to require the Police Department to develop a mechanism for charging third parties for such equipment and materials costs, in order to ensure that the Police Department recovers all costs that result from providing such City Police services. In addition, the Budget Analyst recommends that the Police Department be required to provide to the Board of Supervisors with a report by August 1, 2001 that outlines how the Police Department plans to charge third parties for additional equipment and material costs resulting from providing City Police services to third parties.

4. In January of 2000, the Board of Supervisors eliminated a similar 22.5 percent Administrative Overhead Fee in an effort to change what had been the ad hoc nature of the special events cost recovery and to ensure that all organizations requesting City Police services under Section

[2] Captain Goldberg advises that the Police Department does charge third parties for equipment costs if the third party requests the use of special equipment, such as the Police Department's boat.

10B were treated equally, as discussed below. The Office of the Sponsor is now proposing, with this ordinance, to reinstate a 15 percent Administrative Overhead Fee, instead of a 22.5 percent fee, to ensure that the City recovers the Police Department's administrative overhead costs of providing City Police services to third parties. In addition, in August of 2000, the San Francisco Civil Grand Jury issued a report recommending that the City recover such overhead costs by reinstating the Police Department's Administrative Overhead Fee. The Office of the Sponsor has proposed an Administrative Overhead Fee level of 15 percent based on recommendations from the Police Department, which were reported by the Budget Analyst in January of 2000.[3]

5. In the Police Department Management Audit prepared by the Budget Analyst's Office in December of 1996, the Budget Analyst found that the Police Department: (a) had waived payment of Administrative Overhead Fees for several organizations, such as the San Francisco 49ers, the San Francisco Giants, and movie production companies, without authorization from the Board of Supervisors, and (b) had not transferred Administrative Overhead Fees to the General Fund. Rather, the Police Department had retained such fees in the Special Law Enforcement Services (SLES) Fund.[4]

6. Subsequently, in 1999 the Controller conducted an audit of the Police Department's practice of collecting fees for providing Police services for special events.[5] In the Controller's report, which was completed in November of 1999, the Controller found that, although the Police Department generally charged the direct costs correctly for providing City Police for special events, the Police Department did not charge the 22.5 percent Administrative Overhead Fees to all the organizations to which it provided

[3] The 15 percent estimate of Police Department overhead costs accounts for overhead costs resulting from when the Board of Supervisors waives the fees to be paid for certain events and resulting from third parties that fail to reimburse the Police Department for City Police services provided, which the Police Department must absorb.

[4] Management Audit of the San Francisco Police Department, Phase I, prepared by the Office of the Budget Analyst, December, 1996.

[5] "The San Francisco Police Department: The Department Has Not Charged All Organizations the Required Administrative Overhead for the Special Security Services It Provides," prepared by the Office of the Controller, November 2, 1999.

such services. The Budget Analyst notes that the proposed ordinance would require the Police Department to apply the proposed 15 percent Administrative Overhead Fee to all parties requesting Police Department Services under Section 10B. The proposed ordinance does not authorize the Police Department to waive the 15 percent administrative fee, although the ordinance does provide such wavier authorization to the Board of Supervisors.

7. Additionally, the Controller found that, when the Police Department did collect the 22.5 percent Administrative Overhead Fees, the Department did not deposit such fees into the General Fund, but instead deposited the fees into the SLES Fund. According to the Controller's report, the Administrative Overhead Fees were deposited into the SLES Fund and were then used to pay for the Police Department's use of overtime, which was not subject to appropriation approval by the Board of Supervisors, instead of being available for other General Fund purposes of the City.

8. To ensure that revenue generated from the proposed 15 percent Administrative Overhead Fee is deposited into the City's General Fund, the Office of the Sponsor plans to introduce a substitute ordinance at the May 3, 2001 meeting of the Rules Committee to require that the proposed 15 percent Administrative Overhead Fee be deposited into the General Fund as an unappropriated balance, instead of into the SLES Fund. In addition, the proposed substitute ordinance would require that the Police Department provide to the Controller's Office a semi-annual report outlining all fees charged to third parties who requested City Police services, including the proposed 15 percent Administrative Overhead Fee.

Recommendations: 1. Amend the proposed ordinance to require that the Police Department develop a mechanism for charging third parties for all equipment and materials costs resulting from providing City Police services to sponsors of special events, in accordance with Comment No. 3 above.

2. Amend the proposed ordinance to require that the Police Department provide the Board of Supervisors with a report by August 1, 2001 that outlines how the Police Department plans to charge third parties for equipment and material

costs resulting from providing City Police services to third parties, in accordance with Comment No. 3 above.

3. Approve the proposed ordinance, as amended.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Stephen Kawa

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, June 07, 2001 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 1:10 pm.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

The matter relating to payment for services of Police Officers. File 010009. (See infra)

REGULAR AGENDA

010776 [Appointment]
Hearing to consider appointing one member to the Sunshine Ordinance Task Force.

1 Seat Being Considered:
Vacant Seat, succeeding Judith Appel, resigned, Seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an Attorney, for the unexpired portion of a two-year term ending April 27, 2002.
4/26/01, RECEIVED AND ASSIGNED to Rules Committee.
Heard in Committee. Speakers: Joshua Koltun; Richard Knee.

Appointment of Joshua Koltun, Seat 1, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.
Resolution appointing Joshua Koltun, term ending April 27, 2002, to the Sunshine Ordinance Task Force.

Joshua Koltun, succeeding Judith Appel, resigned, Seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an Attorney, for the unexpired portion of a two-year term ending April 27, 2002.
RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010516 **[Appointment]**

Hearing to consider appointing six members to the Immigrant Rights Commission.

6 Seats Being Considered:
Vacant seat, succeeding Thou Ny, Seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Vacant seat, succeeding Richard Ow, Seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003;
Vacant seat, succeeding Renee Saucedo, Seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Vacant seat, succeeding Philip Nguyen, Seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Vacant seat, succeeding Anita Friedman, Seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003;
Vacant seat, succeeding Samuel Assefa, Seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003.

3/15/01, RECEIVED AND ASSIGNED to Rules Committee.
3/15/01, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 001189.
5/17/01, CONTINUED. Continued to June 7, 2001.

Heard in Committee. Speakers: Doug Pham, Immigrant Rights Commission; Wilma Pang; Richard Ow; Houston Zheng; Lotus Yee Fong; Julie Wang; Ching-Sen Yeung; Marla Bezika, speaking on behalf of Media Benjamin; Richard Knee; Frederick Hobson; Marc Salomon; Marie-Lorraine Feria Mallare; female.

Seat 5, 10, and 11 divided and continued to June 21, 2001. See File 011144.

DIVIDED.

Hearing to consider appointing three members to the Immigrant Rights Commission.

3 Seats Being Considered:
Vacant seat, succeeding Thou Ny, Seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Vacant seat, succeeding Richard Ow, Seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003;
Vacant seat, succeeding Philip Nguyen, Seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002.

Appointment of Richard Ow, Seat 3, Media Benjamin, Seat 4, and Houston Zheng, Seat 9, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Richard Ow and Houston Zheng, terms ending June 6, 2002, and Media Benjamin, term ending June 6, 2003, to the Immigrant Rights Commission.

Richard Ow, succeeding Thou Ny, Seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Media Benjamin, succeeding Richard Ow, Seat 4, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003;
Houston Zheng, succeeding Philip Nguyen, Seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011144 [Appointment]
Hearing to consider appointing three members to the Immigrant Rights Commission.

3 Seats Being Considered:
Vacant seat, succeeding Renee Saucedo, Seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2002;
Vacant seat, succeeding Anita Friedman, Seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003;
Vacant seat, succeeding Samuel Assefa, Seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, 2-year term ending June 6, 2003.

Divided from File 010516.
Continued to June 21, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010775 **[Appointment]**

Hearing to consider appointing two members to the Bicycle Advisory Committee.

2 Seats Being Considered:
Vacant Seat, succeeding Suzanne Richter, resigned, Seat 7, must be a bicyclist-at-large, for the unexpired portion of a three-year term ending December 31, 2001;
Vacant Seat, succeeding Lawrence Li, resigned, Seat 9, must be a bicyclist-at-large, for the unexpired portion of a three-year term ending December 31, 2001.

4/26/01, RECEIVED AND ASSIGNED to Rules Committee.
5/17/01, CONTINUED. Heard in Committee. Speaker: Scott Durcanin.

Continued to June 7, 2001.

Heard in Committee. Speakers: Marc Salomon; Joe Dignan; Renata Yang; David Dick; Peter Farmer; Douglas Hagan; Frederick Hobson.

Appointment of Renata Yang, Seat 7, and Douglas Hagan, Seat 9, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Renata Yang and Douglas Hagan, term ending December 31, 2001, to the Bicycle Advisory Committee.

Renata Yang, succeeding Suzanne Richter, resigned, Seat 7, must be a bicyclist-at-large, for the unexpired portion of a three-year term ending December 31, 2001;
Douglas Hagan, succeeding Lawrence Li, resigned, Seat 9, must be a bicyclist-at-large, for the unexpired portion of a three-year term ending December 31, 2001.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010701 **[Time limits for public speakers who request translation assistance]**

Supervisor Maxwell

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 1.2.1, which will provide twice the amount of speaking time for public speakers who request translation assistance at meetings of the Board of Supervisors and Board Committees.

4/16/01, RECEIVED AND ASSIGNED to Rules Committee.
5/17/01, CONTINUED. Continued to June 7, 2001.

Heard in Committee. Speakers: Sarah He, aide Supervisor Maxwell; Gloria Young, Clerk of the Board; Rob Eshelman, aide to Supervisor Gonzalez; Ted Lakey, Deputy City Attorney; Marlene Tran; Lotus Yee Fong; Richard Ow; Marc Salomon; Julie Wang.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010009 [Payment for services of Police Officers]

Supervisor Yee

Ordinance amending Chapter 10B Section 10B.2 of the San Francisco Administrative Code to reinstate administrative overhead fee.

1/2/01, ASSIGNED UNDER 30 DAY RULE to Audit and Government Efficiency Committee, expires on 2/1/2001.

2/1/01, TRANSFERRED to Rules Committee. New committee structure.

5/3/01, CONTINUED. Continued to May 17, 2001.

5/17/01, CONTINUED. Continued to June 7, 2001.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010859 [Music Concourse - Golden Gate Park]

Supervisor Gonzalez

Hearing to discuss the development projects and commercialization of the Music Concourse in Golden Gate Park.

5/7/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

5/29/01, TRANSFERRED to Rules Committee.

Heard in Committee. Speakers: Elizabeth Goldstein, General Manager, Recreation and Parks; Harry Parker, Director, Fine Arts Museum; Michael Ellzey, CEO, Golden Gate Concourse; Ted Lakey, Deputy City Attorney; Pat Casulik, Academy of Sciences; Joe Fusco; Chris Duderstant; Kate Stacy, Deputy City Attorney; Danny Leone; John Wallis; Peter Winkelstein; Dennis Antenore; Margaret Brodkin; Jill Wynns; Chooi Eng Grosso; Dr. Ann Lanzerotti; Gregg Novicoff; Marjorie Schwarzer; Michael Smith; Susan King.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

ADJOURNMENT

The meeting adjourned at 6:15 pm.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, June 21, 2001 **1:00 PM** **Legislative Chambers - Second Floor**

Regular Meeting

Members Present: Tony Hall, Tom Ammiano, Gerardo Sandoval.

Members Absent: Matt Gonzalez.

Meeting Convened

The meeting convened at 1:08 pm.

Board President Ammiano appointed Supervisor Sandoval to serve on the Rules Committee for today's meeting only.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

There were no items indicated.

REGULAR AGENDA

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001792 [Appointment]

Hearing to consider appointing six members to the City-Wide Alcoholism Advisory Board.

6 Seats Being Considered:
Vacant seat, succeeding Ted Demisse, seat 6, term expired, must have professional, research or personal interest in alcoholism, for a new three-year term ending July 1, 2004;
Vacant seat, succeeding William Bisesto, seat 7, term expired, must have professional, research, or personal interest in alcoholism, for a new three-year term ending July 1, 2004;
Vacant seat, succeeding Stuart Smith, seat 8, term expired, must have professional, research, or personal interest in alcoholism, for a new three-year term ending July 1, 2004;
Vacant seat, succeeding Douglas Bias, seat 9, term expired, must have professional, research, or personal interest in alcoholism, for a new three-year term ending July 1, 2004;
Vacant seat, succeeding Michael Lawlor, seat 11, must have professional, research, or personal interest in alcoholism, for unexpired portion of three-year term ending July 1, 2003;
Vacant seat, succeeding James Matter, seat 15, term expired, must have professional, research, or personal interest in alcoholism, for a new three-year term ending July 1, 2004.

10/11/00, RECEIVED AND ASSIGNED to Rules Committee.

6/12/01, CLERICAL CORRECTION to Rules Committee. Seat 6, 7, 8, 9, and 15 added due to expiration of terms.

Heard in Committee. Speakers: William Bisesto; James Matter; Stuart Smith; Douglas Bias; Alan Shipley; Tony Hester; Danita Manthis, Administrator, City Wide Alcoholism Board; Bob Planthold; John McGoud; Mr. Wilson.

Appointment of William Biesesto, Seat 6; James Matter, Seat 7; Stuart Smith, Seat 8; Douglas Bias, Seat 9; Alan Shipley, Seat 11; and Tony Hester, Seat 15; recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing William Bisesto, James Matter, Stuart Smith, Douglas Bias, and Tony Hester, terms ending July 1, 2004, and Alan Shipley, term ending July 1, 2003, to the City-Wide Alcoholism Advisory Board.

William Bisesto, succeeding Ted Demisse, seat 6, term expired, must have professional, research or personal interest in alcoholism, for a new three-year term ending July 1, 2004;
James Matter, succeeding William Bisesto, seat 7, term expired, must have professional, research, or personal interest in alcoholism, for a new three-year term ending July 1, 2004;
Stuart Smith, succeeding himself, seat 8, term expired, must have professional, research, or personal interest in alcoholism, for a new three-year term ending July 1, 2004;
Douglas Bias, succeeding himself, seat 9, term expired, must have professional, research, or personal interest in alcoholism, for a new three-year term ending July 1, 2004;
Alan Shipley, succeeding Michael Lawlor, seat 11, must have professional, research, or personal interest in alcoholism, for unexpired portion of three-year term ending July 1, 2003;
Tony Hester, succeeding James Matter, seat 15, term expired, must have professional, research, or personal interest in alcoholism, for a new three-year term ending July 1, 2004.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Ammiano, Sandoval
Absent: 1 - Gonzalez

010946 **[Treasure Island Development Authority]**

Mayor

Resolution approving the re-appointment of Mr. William Fazande to the Board of Directors of the Treasure Island Development Authority. (Mayor)

5/21/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Taline Sanassarian, Mayor's Office; William Fazande; Ruth Bohanis.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Ammiano, Sandoval
Absent: 1 - Gonzalez

010947 **[Treasure Island Development Authority]**

Mayor

Resolution approving the appointment of Ms. Claudine Cheng to the Board of Directors of the Treasure Island Development Authority. (Mayor)

5/21/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Claudine Cheng; Richard Ow; Ruth Bohanis; Phil Teng; Carie Carticheck; Isabel Wade; Carol Eto; Ernes Wiener; Marjorie Baker; George Ong; Jim Walker; Frank Lee; Janet Chin.

RECOMMENDED by the following vote:

Ayes: 3 - Hall, Ammiano, Sandoval
Absent: 1 - Gonzalez

011141 **[Appointment]**

Resolution appointing Supervisor Tony Hall as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Supervisor Hall excused in Committee.

6/12/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: none.

Supervisor Tony Hall excused.

RECOMMENDED by the following vote:

Ayes: 2 - Ammiano, Sandoval
Absent: 1 - Gonzalez
Excused: 1 - Hall

011142 **[Appointment]**

Resolution appointing Supervisor Sophie Maxwell as a member to the Peninsula Corridor Study Joint Powers Board.

6/12/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: none.

RECOMMENDED by the following vote:

Ayes: 2 - Ammiano, Sandoval
Absent: 2 - Gonzalez, Hall

011143 **[Appointment]**

Resolution appointing Supervisor Aaron Peskin of the Board of Supervisors to the Bay Conservation and Development Commission.

6/12/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: none.

RECOMMENDED by the following vote:

Ayes: 2 - Ammiano, Sandoval
Absent: 2 - Gonzalez, Hall

011144 **[Appointment]**

Hearing to consider appointing six members to the Immigrant Rights Commission.

6 Seats Being Considered:
Vacant seat, succeeding Renee Saucedo, Seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2002;
Vacant seat, succeeding Emi Gusukuma, Seat 6, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco,for a new two-year term ending June 6, 2003;
Vacant seat, succeeding Vram Kouramajian, Seat 7, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco,for a new two-year term ending June 6, 2003;
Vacant seat, succeeding Phu Nguyen, Seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco,for a new two-year term ending June 6, 2003;
Vacant seat, succeeding Anita Friedman, Seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco,for a new two-year term ending June 6, 2003;
Vacant seat, succeeding Samuel Assefa, Seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a new two-year term ending June 6, 2003.

6/7/01, RECEIVED AND ASSIGNED to Rules Committee.
6/7/01, CONTINUED. Divided from File 010516.
Continued to June 21, 2001.
6/13/01, CLERICAL CORRECTION to Rules Committee. Seat 6, 7, and 8 added due to expiration of term.

Heard in Committee. Speakers: Phu Nguyen; Supervisor Gerardo Sandoval, speaking on behalf of Marcos Gutierrez; Marlene Tran; Scott Tinloy; Joseph Nwadibid; Ugoharris Hurtado; Wilma Pang; Marie-Lorraine Feria Mallare; Hagen Choi; Lotus Yee Fong; Eddie Tsang; Edwin Rafael-Rodriguez; Richard Ow; Dang Pham, Executive Director, Immigrant Rights Commission; Maggie Lynch.

Seat 11 divided and continued to the call of the chair. See File 011235.

DIVIDED.

Hearing to consider appointing five members to the Immigrant Rights Commission.

5 Seats Being Considered:
Vacant seat, succeeding Renee Saucedo, Seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2002;
Vacant seat, succeeding Emi Gusukuma, Seat 6, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco,for a new two-year term ending June 6, 2003;
Vacant seat, succeeding Vram Kouramajian, Seat 7, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco,for a new two-year term ending June 6, 2003;
Vacant seat, succeeding Phu Nguyen, Seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco,for a new two-year term ending June 6, 2003;
Vacant seat, succeeding Anita Friedman, Seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco,for a new two-year term ending June 6, 2003.

Marcos Eusebio Gutierrez (residency requirement waived), seat 5; Emi Gusukuma, seat 6; Vram Kouramajian (residency requiredment waived), seat 7; Phu Nguyen, seat 8; and Joseph Nwadibia (residency requirement waived), seat 10; recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Marcos Eusebio Gutierrez, term ending June 6, 2002, and Emi Gusukuma, Vram Kouramajian, Phu Nguyen, and Joseph Nwadibid, terms ending June 6, 2003, to the Immigrant Rights Commission, waiving residency requirement.

Marcos Eusebio Gutierrez (residency requirement waived), succeeding Renee Saucedo, Seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2002;
Emi Gusukuma, succeeding herself, Seat 6, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a new two-year term ending June 6, 2003;
Vram Kouramajian (residency requirement waived), succeeding herself, Seat 7, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a new two-year term ending June 6, 2003;
Phu Nguyen, succeeding himself, Seat 8, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a new two-year term ending June 6, 2003;
Joseph Nwadibid (residency requirement waived), succeeding Anita Friedman, Seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a new two-year term ending June 6, 2003.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Ammiano, Sandoval
Absent: 1 - Gonzalez

011235 **[Appointment]**

Hearing to consider appointing one member to the Immigrant Rights Commission.

1 Seat Being Considered:
Vacant seat, succeeding Samuel Assefa, Seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco,for a new two-year term ending June 6, 2003.

Divided from File 011144.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Ammiano, Sandoval
Absent: 1 - Gonzalez

011057 **[Appointment]**

Hearing to consider appointing twenty-two members to the Asthma Task Force.

Vacant seat, new appointment, seat 1, must be a representative of community-based organization that provides advocacy related to asthma issues in San Francisco, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 2, must be a representative of community-based organization that provides advocacy related to asthma issues in San Francisco, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 3, must be a representative of childcare coordinating/advocacy organizations, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 4, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 5, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 6, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 7, must be a representative of an environmental health/justice organization, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 8, must be a representative of an environmental health/justice organization, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 9, must be a representative of a hospital association or health care provider institution, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 10, must be a representative of a hospital association or health care provider institution, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 11, must be a representative of MediCal Managed Care Insurers, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 12, must be a representative of MediCal Managed Care Insurers, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 13, must be a representative of lung health/asthma-specific organizations, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 14, must be a representative of lung health/asthma-specific organizations, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 15, must be an individual who represents health care professions working with asthmatics, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 16, must be an individual who represents health care professions working with asthmatics, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 17, must be an individual who represents health care professions working with asthmatics, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 18, must be an individual who is an academic researcher or educator concerned with asthma issues, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 19, must be an individual who is an academic researcher or educator concerned with asthma issues, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 20, must be a representative of the Department of Public Health, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 21, must be an individual who represents property interests (non-voting member), for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 22, must be an individual who represents tenant interests (non-voting member), for a new two-year term ending June 30, 2003.

5/31/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ann Togia; Rose Toney; Deanna Rossi; Marie Hoemke; Mariaelena Alito; Veroncia Lightfoot; Ann Melamed; Carolyn Noble; Peg Strub; Carla Furtado; Barbara Andersen; Ben Loewy; Beth Saki; Diedra Epps-Miller; Micheal Walter Green; Genevieve Gayan; Susan Jansen; Kathy Perry; Ted Lakey, Deputy City Attorney.

Seats 12, 20, and 21divided and continued to the call of the chair. See File 011236.
DIVIDED.

Hearing to consider appointing nineteen members to the Asthma Task Force.

19 Seats Being Considered:
Vacant seat, new appointment, seat 1, must l a representative of community-based organization that provides advocacy related to asthma issues in San Francisco, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 2, must be a representative of community-based organization that provides advocacy related to asthma issues in San Francisco, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 3, must be a representative of childcare coordinating/advocacy organizations, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 4, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 5. must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 6, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 7, must be a representative of an environmental health/justice organization, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 8, must be a representative of an environmental health/justice organization, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 9, must be a representative of a hospital association or health care provider institution, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 10, must be a representative of a hospital association or health care provider institution, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 11, must be a representative of MediCal Managed Care Insurers, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 13, must be a representative of lung health/asthma-specific organizations, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 14, must be a representative of lung health/asthma-specific organizations, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 15, must be an individual who represents health care professions working with asthmatics, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 16, must be an individual who represents health care professions working with asthmatics, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 17, must be an individual who represents health care professions working with asthmatics, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 18, must be an individual who is an academic researcher or educator concerned with asthma issues, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 19, must be an individual who is an academic researcher or educator concerned with asthma issues, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 22, must be an individual who represents tenant interests (non-voting member), for a new two-year term ending June 30, 2003.

Ann Togia, seat 1; Rose Toney, seat 2; Deanna Rossi, seat 3; Marie Hoemke (residency requirement waived), seat 4; Mariaelena Alioto, seat 5; Veroncia Lightfoot, seat 6; Ann Melamed, Seat 7; Mary Higgins, Seat 8; Carolyn Noble (residency requirement waived), seat 9; Peg Strub, seat 10; Carla Furtado, seat 11; Ben Loewy, seat 13; Beth Saiki, Seat 14; Barbara Conner Andersen, seat 15; Julie McKown (residency requirement waived), seat 16; Lisa Kroon, seat 17, Diedra Epps-Miller, seat 18; John Balmes (residency requirement waived), seat 19; and Micheal Walter Green (residency requirement waived), seat 22; recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Ann Togia, Rose Toney, Deanna Rossi, Marie Hoemke, Mariaelena Alioto, Veroncia Lightfoot, Ann Melamed, Mary Higgins, Carolyn Noble, Peg Strub, Carla Furtado, Ben Loewy, Beth Saiki, Barbara Conner Andersen, Julie McKown, Lisa Kroon, Diedra Epps-Miller, John Balmes, and Micheal Walter Green, terms ending June 30, 2003, to the Asthma Task Force, waiving residency requirement.

Ann Togia, new appointment, seat 1, must be a representative of community-based organization that provides advocacy related to asthma issues in San Francisco, for a new two-year term ending June 30, 2003;
Rose Toney, new appointment, seat 2, must be a representative of community-based organization that provides advocacy related to asthma issues in San Francisco, for a new two-year term ending June 30, 2003;
Deanna Rossi, new appointment, seat 3, must be a representative of childcare coordinating/advocacy organizations, for a new two-year term ending June 30, 2003;
Marie Hoemke (residency requirement waived), new appointment, seat 4, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for a new two-year term ending June 30, 2003;
Mariaelena Alioto, new appointment, seat 5, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for a new two-year term ending June 30, 2003;
Veroncia Lightfoot, new appointment, seat 6, must be an individual who is either persons with asthma, the parent of a child with asthma, or an asthma patient advocate, for a new two-year term ending June 30, 2003;
Ann Melamed, new appointment, seat 7, must be a representative of an environmental health/justice organization, for a new two-year term ending June 30, 2003;
Mary Higgins, new appointment, seat 8, must be a representative of an environmental health/justice organization, for a new two-year term ending June 30, 2003;
Carolyn Noble (residency requirement waived), new appointment, seat 9, must be a representative of a hospital association or health care provider institution, for a new two-year term ending June 30, 2003;
Peg Strub, new appointment, seat 10, must be a representative of a hospital association or health care provider institution, for a new two-year term ending June 30, 2003;
Carla Furtado, new appointment, seat 11, must be a representative of MediCal Managed Care Insurers, for a new two-year term ending June 30, 2003;
Ben Loewy, new appointment, seat 13, must be a representative of lung health/asthma-specific organizations, for a new two-year term ending June 30, 2003;
Beth Saiki, new appointment, seat 14, must be a representative of lung health/asthma-specific organizations, for a new two-year term ending June 30, 2003;
Barbara Conner Andersen, new appointment, seat 15, must be an individual who represents health care professions working with asthmatics, for a new two-year term ending June 30, 2003;
Julie McKown (residency requirement waived), new appointment, seat 16, must be an individual who represents health care professions working with asthmatics, for a new two-year term ending June 30, 2003;
Lisa Kroon, new appointment, seat 17, must be an individual who represents health care professions working with asthmatics, for a new two-year term ending June 30, 2003;
Diedra Epps-Miller, new appointment, seat 18, must be an individual who is an academic researcher or educator concerned with asthma issues, for a new two-year term ending June 30, 2003;
John Balmes (residency requirement waived), new appointment, seat 19, must be an individual who is an academic researcher or educator concerned with asthma issues, for a new two-year term ending June 30, 2003;
Micheal Walter Green (residency requirement waived), new appointment, seat 22, must be an individual who represents tenant interests (non-voting member), for a new two-year term ending June 30, 2003.

RECOMMENDED.. by the following vote:

Ayes: 3 - Hall, Ammiano, Sandoval
Absent: 1 - Gonzalez

011236 **[Appointment]**

Hearing to consider appointing three members to the Asthma Task Force.

3 Seats Being Considered:
Vacant seat, new appointment, seat 12, must be a representative of MediCal Managed Care Insurers, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 20, must be a representative of the Department of Public Health, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 21, must be an individual who represents property interests (non-voting member), for a new two-year term ending June 30, 2003.

Divided from File 011057.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Ammiano, Sandoval
Absent: 1 - Gonzalez

010973 **[Missing Ballots]**

Supervisors Hall, Ammiano, Gonzalez

Hearing on the allegations of 3,600 missing ballots from the November, 2000 election.

5/21/01, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the May 31, 2001 meeting.

5/31/01, CONTINUED. Heard in Committee. Speakers: Supervisor Sandoval; Joseph McGwuire, election worker, Department of Elections; Bill Lee, City Administrator; Ted Lakey, Deputy City Attorney; John Henry Pierce, aide to Supervisor Gonzalez; Ryan Brooks, Director, Administrative Services; David Pilpel; Vito Corsia; Joe Breven; Mr. Asedelfia; Gilbert Criswell; Mr. Bowman; Doug Comstock; Bob Planthold; male.

Continued to June 21, 2001.

Heard in Committee. Speakers: Bill Lee, City Administrator; Dr. Philip Parris, Deputy Director, Elections; Chris Bowman; David Pilpel.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Hall, Ammiano, Sandoval
Absent: 1 - Gonzalez

011026 **[SB 307, California Japantown Preservation Pilot Project]**

Supervisors Gonzalez, Peskin

Resolution urging the Governor and State Legislature to support SB 307 which would create, until July 1, 2004, the California Japantown Preservation Pilot Project, which would require the State Librarian to provide a one-time grant to the City of Los Angeles, the City of San Jose, and the City and County of San Francisco, for the purposes of aiding in the preparation, adoption, or implementation of specific plans that promote the preservation of existing Japantown neighborhoods in those jurisdictions.

5/29/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

6/4/01, SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA. Supervisors Daly and Yee requested this matter be severed so it could be considered separately.

6/4/01, REFERRED to Neighborhood Services and Parks Committee. Supervisor Daly requested this matter be sent to committee.

6/13/01, TRANSFERRED to Rules Committee.

Heard in Committee. Speakers: Rob Eshelman, aide to Supervisor Matt Gonzalez; female; Richard Ow; Chris Juraso; Carol Seto; John Osaki; Chris Hurano.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 2 - Hall, Sandoval
Absent: 2 - Gonzalez, Ammiano

011001 [Ethics Commission Regulation]

Hearing to consider proposed regulation 67.33 - 1, adopted by the Ethics Commission on May 14, 2001, to clarify the time and manner for filing the annual Sunshine Ordinance declaration required by San Francisco Administrative Code 67.33 - Department Head Declaration. (Clerk of the Board)

(Pursuant to Charter Sec. 15.102, Regulations adopted by the Ethics Commission become effective 60 days after the date of adoption unless two-thirds of the members of the Board of Supervisors vote to veto the regulations during the 60-day period.)

5/15/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ginny Vida, Executive Director, Ethics Commission; David Pilpel; Ted Lakey, Deputy City Attorney.

PREPARED IN COMMITTEE AS A MOTION.

Motion vetoing proposed regulation number 67-33-1, adopted by the Ethics Commission on May 14, 2001, that would clarify the time and manner for filing the annual Sunshine Ordinance declaration required by San Francisco Administrative Code 67.33 - Department Head Declaration. (Clerk of the Board)

(Pursuant to Charter Sec. 15.102, Regulations adopted by the Ethics Commission become effective 60 days after the date of adoption unless two-thirds of the members of the Board of Supervisors vote to veto the regulations during the 60-day period.)

RECOMMENDED "DO NOT PASS" by the following vote:

Ayes: 2 - Hall, Sandoval
Absent: 2 - Gonzalez, Ammiano

011002 [Ethics Commission Regulations]

Hearing to consider proposed regulations adopted by the Ethics Commission on May 14, 2001, to implement Propositions O and J (November 7, 2000) and clarifying related provisions of the City's Campaign and Governmental Conduct Code. (Clerk of the Board)

(Pursuant to Charter Sec. 15.102, Regulations adopted by the Ethics Commission become effective 60 days after the date of adoption unless two-thirds of the members of the Board of Supervisors vote to veto the regulations during the 60-day period.)

5/22/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ginny Vida, Executive Director, Ethics Commission; David Pilpel; Ted Lakey, Deputy City Attorney.

PREPARED IN COMMITTEE AS A MOTION.

Motion vetoing proposed regulation numbers 1.140(k)-1, 1.140(o)-1, 1.142(a)-1, 1.142(a)-2, 1.142(a)-3, 1.144(c)-1, 1.144(d)-1, 1.144(e)-1, 1.148(b)-1, 1.148(d)-1, 1.114-1, 1.128-1, 3.710(a)-1, 3.710(b)-1, 3.710(c)-1, 3.710(d)-1, 3.715(a)-1, 3.715(a)-2, 3.720(a)-1, and 3.730-1, adopted by the Ethics Commission on May 14, 2001, that would implement Propositions O and J (November 7, 2000) and clarify related provisions of the City's Campaign and Governmental Conduct Code. (Clerk of the Board)

(Pursuant to Charter Sec. 15.102, Regulations adopted by the Ethics Commission become effective 60 days after the date of adoption unless two-thirds of the members of the Board of Supervisors vote to veto the regulations during the 60-day period.)

RECOMMENDED "DO NOT PASS" by the following vote:

Ayes: 2 - Hall, Sandoval
Absent: 2 - Gonzalez, Ammiano

ADJOURNMENT

The meeting adjourned at 6:06 pm.

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

June 20, 2001

TO: Rules Committee

DOCUMENTS DEPT.

JUN 25 2001

SAN FRANCISCO
PUBLIC LIBRARY

FROM: Budget Analyst

SUBJECT: June 22, 2001 Special Rules Committee Meeting

Item 2 – File 01-0540

Proposed Charter Amendment: Charter Amendment repealing Sections 2.102 and 6.107, amending Sections 3.102, 8.100 and 8.101 and adding Section 13.101.5 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

Draft: First Draft, Amendment of the Whole

Charter Sections Affected: Sections 2.102, 3.102, 6.107, 8.100, 8.101 and 13.101.5

Description: The proposed Charter Amendment would provide that if a vacancy occurs due to death, resignation, permanent disability or the inability to otherwise carry out the responsibilities of elective office, then the Mayor shall appoint a qualified individual to fill that vacancy. The elective offices that would be included are: Assessor-Recorder, City Attorney, District Attorney, Public Defender, Sheriff, Treasurer, Member of the Board of Supervisors, Unified School District or Governing Board of the

Community College. The individual appointed to fill the vacancy would serve until a successor is selected at the next General or Special Municipal or State Election that occurs not less than 120 days after the vacancy occurs. However, if an election for the vacated office is already scheduled to occur less than one year after the vacancy, the appointed individual would serve until a successor is selected at that next scheduled election.

In addition, the proposed Charter Amendment provides that if the Office of Mayor becomes vacant, the President of the Board of Supervisors would become Acting Mayor and serve until a successor is appointed by the Board of Supervisors.

Currently, the Charter provides that the City's elective office vacancies are appointed by the Mayor, and if more than 29 months remain in the unexpired term for that office, the appointee would have to run for that office in the next General Municipal or Statewide Election.

Therefore, the proposed Charter Amendment would reduce the amount of time that an appointee would remain in office from up to 29 months to when the next General, Municipal Special or Statewide Election is held.

Comments:

1. As shown in the Attachment, provided by the Controller's Office, the interpretation of the Controller's Office is that the proposed Charter Amendment would provide for Special Elections to be held to fill vacancies if the next scheduled General Municipal or Statewide Election is not scheduled within a specified time frame. The Controller's Office estimates, that if Special Elections are required to be held, based on a review of the past 20 years, that approximately two Special Elections would be held over a ten-year period, including one Special District-level Election at a cost of approximately $209,000 and one Citywide Special Election at a cost of approximately $1.6 million.

2. However, based on discussions with the Office of the Sponsor of the proposed Charter Amendment, this Charter Amendment is not intended to require that the City schedule any Special Elections. Rather, the Office of the Sponsor advises that the appointee to the vacated office would instead be required to run in any already scheduled Special Election, General Municipal Election or Statewide Election, after a period of 120 days. Mr. Chad Jacobs of the City Attorney's Office also advises that it is not the intent of the proposed Charter Amendment, as currently drafted, to trigger any additional Special Elections.

3. The Budget Analyst notes that if no additional Special Elections are required to be held, that the costs of the proposed Charter Amendment should be minimal. The additional cost would only be the cost of placing an additional candidate on the ballot for an already scheduled election.

4. The Budget Analyst recommends therefore, that if the intent of the proposed Charter Amendment is not to trigger any additional Special Elections that the proposed Charter Amendment be amended to clarify that intent. In addition, the Controller's Office should then be requested to revise their estimates of the cost, based on the amended Charter Amendment.

Recommendations: Amend the proposed Charter Amendment to clarify that the intent of the Office of the Sponsor of this Charter Amendment is to not trigger any additional Special Elections be held.

Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Attachment

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROL

Edward Harri
Cont

Matthew H. I
Chief Assistant Cont

June 19, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010540
Charter Amendment to shorten the period following a vacancy in elective office before there is an election to fill the unexpired term

Dear Ms. Young,

The proposed amendment provides for special elections to be held to fill vacancies if the next scheduled general municipal or statewide election will not occur within a specified time frame. Over the last twenty years, approximately 24 elected offices in San Francisco became vacant and were filled by appointment. Of those 24 appointments, approximately two during any ten year period would have resulted in special elections under the terms specified in the proposed amendment. Based on our analysis, if future vacancies occur at a similar rate as in recent years, and at random times during the year, this amendment would result in approximately two special elections being held during a ten year period. One special election would be a district-level election at a cost of approximately $209,000, and one would be a citywide special election at a cost of approximately $1.6 million. To the extent that vacancies in elective offices occur more frequently than in the past twenty years, this cost could increase.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 3 – File 01-0856

Proposed Charter Amendment: Charter Amendment amending Section 13.101, repealing the current Section 13.102 and adding a new Section 13.102 to provide for the election of the Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender and members of the Board of supervisors using a ranked-choice or "instant run-off" ballot, to require that City voting systems be compatible with a ranked-choice ballot system and setting a date and conditions for implementation.

Draft: First

Charter Sections Affected: Sections 13.101 and 13.102

Description: The proposed Charter Amendment would provide for instant run-off elections for the election of the Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors. Currently, the Charter provides that a separate run-off election be held for these elective offices.

Under the proposed Charter Amendment, San Francisco voters would be allowed to rank a number of choices in order of preference, either equal to the total number of candidates for that office, or limited to no fewer than three choices, if the voting system cannot feasibly accommodate the greater number of candidates. The instant run-off voting balloting system produces a majority winner in a single election by simulating a series of run-off elections.

If a candidate receives a majority of the voter's first choices, then that candidate would be elected. However, if no candidate receives a majority of the votes, the candidate who received the fewest first choice votes would be eliminated and the second choice votes cast for that candidate would be transferred to the next ranked candidate on that

voter's ballot. If after this transfer of votes, any candidate receives a majority of the votes, that candidate would be elected. Again, if no candidate receives a majority of the votes, the process would continue such that each candidate with the fewest votes would be eliminated, and the second, third, or subsequent votes for that candidate would be transferred to the next-ranked candidate on each voter's ballot, until a candidate receives a majority of the votes.

The proposed Charter Amendment also provides that the Department of Elections conduct voter education campaigns to familiarize voters with the instant run-off method of voting and that any future voting systems or equipment acquired by the City have the capability to accommodate the proposed instant run-off balloting.

According to the proposed Charter Amendment, the instant run-off ballot would be used for the General Municipal Election in November of 2002 and all subsequent elections. However, if the Director of Elections certifies to the Board of Supervisors and the Mayor, by July 1, 2002, that the Department of Elections cannot implement the proposed instant run-off elections by November of 2002, then the City could delay the implementation for one year, until the November of 2003 General Municipal Election.

Comments:

1. Department of Elections representatives have previously reported that the existing Election Systems and Software (ES&S) equipment that the Department of Elections recently purchased is technologically capable of handling instant run-off elections, with up to 17 candidates, and one write-in candidate for a single office, at no additional computer or equipment costs to the City.

2. As noted above, the proposed Charter Amendment provides that the Department of Elections conduct voter education campaigns to familiarize voters with the instant run-off voting system. The Department of Elections previously

reported that additional outreach efforts to educate and familiarize San Francisco voters regarding such a new instant run-off voting system are estimated to cost approximately $180,000. Such outreach efforts would likely be necessary for the first year or two that the system was implemented. However, after the first year or two, such outreach efforts and the additional costs are expected to be minimal.

3. The Department of Elections has previously reported that it costs approximately $1.5 million to $2.0 million to conduct a separate run-off election. The Attachment, provided by the Controller's Office, estimates that although the proposed Charter Amendment may require additional ballot pages, voter education and outreach as well as potential modifications to the City's voting technology, overall the City would save a net amount of approximately $1.3 million annually, by eliminating the need for separate run-off elections.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLE

Edward Harringto
Controll

Matthew H. Hym
Chief Assistant Controll

June 19, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010856
Charter Amendment to provide for the election of Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors using instant run-off voting.

Dear Ms. Young,

Should the proposed charter amendment be approved by the voters, in my opinion, it would save the City a net amount of approximately $1.3 million annually beginning in Fiscal Year 2002-03 by eliminating the need for run-off elections. Instant run-off voting may require additional ballot pages, voter education, and modifications to the City's voting technology. However, these costs would be more than offset by the savings associated with eliminating run-off elections.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 4 - File 01-0963

Proposed Charter Amendment:

Charter Amendment amending Sections 13.104, and 15.105 and adding Section 13.103.5 to (1) create a seven-member Elections Commission appointed by the Mayor, the Board of Supervisors, the City Attorney, the Public Defender, the District Attorney, the Ethics Commission and the Sunshine Task Force, (2) designate that the Director of Elections serves at the pleasure of the Elections Commission, and (3) to provide a removal process for the members of the Elections Commission.

Draft:

First

Charter Sections Affected:

Sections 13.103.5, 13.104 and 15.105.

Description:

The proposed Charter Amendment would create a new Elections Commission, which would be responsible for (1) overseeing all Federal, State, district and municipal elections in San Francisco, (2) establishing general policies for the Department of Elections, and (3) administering and operating practices for the Department of Elections, subject to the budgetary and fiscal provisions of the City's Charter.

The Elections Commission would be comprised of seven voting members serving one five-year term. The Mayor, the Board of Supervisors, the City Attorney, the Public Defender, the District Attorney, the Ethics Commission and the Sunshine Task Force shall appoint one member each to the Elections Commission. Members of the Elections Commission shall serve without compensation.

Currently, there is no Commission that oversees the Department of Elections. Instead, the Department of Elections is fully administered by the Director of Elections, who is appointed by the City Administrator. Currently, the Director of Election may be removed by the City Administrator for cause, subject to appeal to the Civil Service

Commission. Under the proposed Charter Amendment, the Elections Commission would have the power to appoint and remove the Director of Elections, who would serve at the pleasure of the Elections Commission. The Director of Elections would have the power to appoint and remove other Department employees subject to the Civil Service provisions of the Charter.

The proposed Charter Amendment to Section 15.105 would provide for suspension and removal of members of the Elections Commission for official misconduct by the appointing authority consisting of the Mayor, the Board of Supervisors, the City Attorney, the Public Defender, the District Attorney, the Ethics Commission and the Sunshine Task Force instead of just the Mayor. Under the proposed Charter Amendment, failure of the appointing authority to remove an Elections Commission member for official misconduct shall constitute official misconduct on the appointing authority's part.

Comments:

1. The proposed Charter Amendment also provides that the Elections Commission members and the Director of Elections may not (1) hold any other public office or employment with any City, State or Federal government, (2) participate in or contribute to any candidate campaigns, ballot measures, or (3) employ or be employed by or receive any gifts or other compensation from a person who is employed by or holds office in an organization that makes political endorsements.

2. The proposed Charter Amendment does not provide for budget guidelines for the Elections Commission.

3. The Attachment, provided by the Controller's Office, estimates that the minimum increased cost of government would be approximately $113,000 per year to provide an Elections Commission Secretary and cover the costs of meetings, public notices and other requirements of the Elections Commission. The Controller's Office notes that the

proposed Charter Amendment does not specify whether particular administrative functions, such as legal counsel and budget preparation, would be directed by the Elections Commission and carried out by the Elections Department and as such, the costs of the proposed Charter Amendment could increase or decrease.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Attachment

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLLE

Edward Harringto
Controll

Matthew H. Hym
Chief Assistant Controll

June 19, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010963
Charter Amendment to create an Elections Commission consisting of seven members appointed by the Mayor, the Board of Supervisors, the City Attorney, the Public Defender, the District Attorney, the Ethics Commission and the Sunshine Task Force; to designate that the Director of Elections serves at the pleasure of the Elections Commission; and to provide a removal process for members of the Elections Commission

Dear Ms. Young,

Should the proposed charter amendment be approved by the voters, in my opinion, the minimum increased cost of government would be approximately $113,000 per year to provide an Elections Commission secretary and cover the cost of meetings, public notices, and other requirements of a Commission.

The proposed amendment does not specify whether particular functions, such as legal counsel and budget preparation, would be directed by the Elections Commission and carried out by the Department of Elections. To the extent that the way in which these functions are provided is changed, the cost of the proposed amendment could increase or decrease.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 5 - File 01-0956

Proposed Charter Amendment:

Charter Amendment amending Sections 13.104 and 15.102 and adding Sections 13.103.5, 13.104.3 and 13.104.5 to (1) create a five-member Elections Commission, (2) establish that the Director of Elections serves at the pleasure of the Elections Commission, (3) establish a budget process for the Elections Commission and the Department of Elections; and, (4) establish independent legal counsel for the Elections Commission and the Department of Elections.

Draft:

First

Charter Sections Affected:

Sections 13.103.5, 13.104, 13.104.3, 13.104.5 and 15.102.

Description:

The proposed Charter Amendment would create a new five-member Elections Commission, which would be responsible for (1) overseeing all Federal, State, district and municipal elections in San Francisco, (2) establishing general policies for the Department of Elections, (3) developing the administration and operating practices for the Department of Elections, subject to the budgetary and fiscal provisions of the City's Charter.

The Elections Commission would be comprised of five voting members serving one full four-year term. The Mayor, the Board of Supervisors, the City Attorney, the District Attorney and the Controller shall appoint one member each to the Elections Commission. The Mayor's appointee must have a background in the electoral process. The City Attorney's appointee must have a background in election law. The Controller's appointee must have a background in campaign finance. The members appointed by the District Attorney and the Board of Supervisors shall be broadly representative of the general public. In the event that a vacancy occurs, the appropriate appointing authority shall appoint a qualified individual

person to complete the remainder of the term. In addition, the Executive Director of the Ethics Commission would be a non-voting member of the Elections Commission. Members of the Elections Commission shall serve without compensation.

Currently, there is no Commission that oversees the Department of Elections. Instead, the Department of Elections is fully administered by the Director of Elections, who is appointed by the City Administrator. Currently, the Director of Elections may be removed by the City Administrator for cause, subject to appeal to the Civil Service Commission. Under the proposed Charter Amendment, the Director of Elections would be appointed by and serve at the pleasure of the newly formed Elections Commission and could be removed only by the Elections Commission. The Director of Elections would be responsible for appointing and removing other employees of the Department subject to the Civil Service provisions of the Charter.

The proposed Charter Amendment would also require the Elections Commission to approve and submit a detailed budget for both the Elections Commission and the Elections Department to the Mayor by March 1 of each year. According to Mr. Chad Jacobs of the City Attorney's Office, the proposed Charter Amendment does not provide for other budgetary deadlines. The proposed Charter Amendment requires the Mayor to include the proposed Elections budget, in the Mayor's overall proposed budget to the Board of Supervisors without making any changes, although the Mayor may include recommendations for changes to the Elections budget. The Board of Supervisors would be permitted to amend, prior to adopting the proposed Commission and Department of Elections budget. In accordance with the proposed Charter Amendment, the Mayor would not be permitted to reduce or reject any Elections expenditures authorized by the Board of Supervisors.

The proposed Charter Amendment would also authorize the Elections Commission to retain independent legal counsel positions to represent the Elections Commission and Elections Department in all legal matters and such counsel positions shall be considered employees of the Department of Elections and serve at the pleasure of the Elections Commission. General Counsel retained pursuant to the proposed Section 13.104.5 must be in good standing with the California State Bar and have at least five years experience in trial practice. Currently, the Department of Elections uses the City Attorney's Office for all legal matters. According to Mr. Jacobs, the proposed Charter Amendment would require the Elections Commission to hire independent outside legal counsel, rather than relying on the services of the City Attorney's Office. Mr. Jacobs advises that the outside counsel could either be individual staff members or a legal firm for the Elections Commission and Department of Elections.

The Elections Commission members could only be removed from office in accordance with Charter Section 15.105, which provides for suspension by the Mayor and removal by the Board of Supervisors for official misconduct.

Comments:

1. The proposed Charter Amendment also provides that Elections Commission members and the Director of Elections may not (1) hold any other public office or employment with any City, State or Federal government, (2) participate in or contribute to any candidate campaigns, ballot measures, or (3) employ or be employed by or receive any gifts or other compensation from a person who is employed by or holds office in an organization that makes political endorsements.

2. As noted above, the proposed Charter Amendment would require the Elections Commission to hire independent outside private legal counsel or in-house legal staff, rather than relying on the services of the City Attorney's Office. The Attachment, provided by the Controller's

Office, states that providing legal services by hiring a staff attorney at the Department of Elections instead of the City Attorney's Office would not significantly change the cost of this function. According to Ms. Martie Moore of the City Attorney's Office, the City Attorney's Office is projected to spend approximately 2,266 hours on legal services for the Department of Elections in FY 2000-2001, at an average rate of $140 per hour, which includes overhead, or a total of approximately $317,240.

3. The Attachment, provided by the Controller's Office, estimates that the minimum increased cost of government would be approximately $113,000 per year to provide an Elections Commission Secretary and cover the costs of meetings, public notices and other requirements of the Elections Commission. The Controller's Office notes that the proposed Charter Amendment does not specify whether particular administrative functions, such as budget preparation, would be carried out by the Department of Elections and as such, the costs of the proposed Charter Amendment could increase or decrease.

4. Line 11 of page 1 of the proposed Charter Amendment erroneously refers to Section 13.105, when it should reference Section 13.104, which is the Section being amended under the proposed Charter Amendment. Therefore, the Budget Analyst recommends that the proposed line 11, page 1 be amended to replace 13.105 with 13.104.

Recommendations:

1. Amend the line 11 on page 1 of the proposed Charter Amendment to correct a clerical error by replacing 13.105 with 13.104, in accordance with Comment 4 above.

2. Approval of the proposed Charter Amendment, as amended, is a policy matter for the Board of Supervisors.

Attachment

CITY AND COUNTY OF SAN FRANCISCO **OFFICE OF THE CONTROLLER**

Edward Harrington
Controller

Matthew H. Hymel
Chief Assistant Controller

June 19, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010956
Charter Amendment to create an Elections Commission; to establish that the Director of Elections serves at the pleasure of the Elections Commission; to establish a budget process for the Elections Commission and the Department of Elections; and to establish independent legal counsel for the Elections Commission and the Department of Elections

Dear Ms. Young,

Should the proposed charter amendment be approved by the voters, in my opinion, the minimum increased cost of government would be approximately $113,000 per year to provide an Elections Commission secretary and cover the cost of meetings, public notices, and other requirements of a Commission.

The amendment specifies that the Elections Commission shall hire its own General Counsel. Currently, the City Attorney's Office provides legal services for the Department of Elections. Providing these services instead through hiring a staff attorney at the Department of Elections would not significantly change the cost of this function.

The proposed amendment does not specify whether particular administrative functions, such as budget preparation, would be carried out by the Department of Elections. To the extent that the way in which these functions are provided is changed, the cost of the proposed amendment could increase or decrease.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Memo to Rules Committee
June 22, 2001 Special Rules Committee Meeting

Item 7 – File 01-0962

Proposed Charter Amendment:

Charter Amendment to add Section 13.104.5 and amend Sections 6.102, 15.102 and C3.699-15 to allow any officer, department head, board or commission to request that the City Attorney provide for outside legal counsel, to allow an appeal of any denial of a request for outside legal counsel to the Board of Supervisors and to allow the Department of Elections and the Ethics Commission to retain outside legal counsel at the discretion of the Director of Elections or by a majority vote of the Ethics Commission respectively.

Draft:

First

Charter Sections Affected:

Sections 13.104.5, 6.102, 15.102 and C3.699

Description:

Currently, the City Attorney represents the City and County of San Francisco in legal proceedings. Under the proposed Charter Amendment, the City Attorney would continue to represent the City and County in such legal proceedings. However, the proposed Charter Amendment would also permit any City officer, department head, board or commission to request that the City Attorney provide outside legal counsel to represent the City in legal proceedings, or to provide advice or written opinions on a specific matter. If the City Attorney denies such request for outside legal counsel, this decision could be appealed to the Board of Supervisors. The appeal must include a proposed budget of the costs associated with obtaining the outside legal counsel. A majority vote of the Board of Supervisors would override the City Attorney's denial of the request for outside legal counsel.

According to the proposed Charter Amendment, the Director of Elections or the Ethics Commission, by majority vote, would be permitted to retain outside legal counsel without approval of the City Attorney.

In accordance with the proposed Charter Amendment, any contract with outside legal counsel would be subject to the budgetary and fiscal provisions of the City's Charter.

Comments:

The Attachment, provided by the Controller's Office, states that the proposed Charter Amendment's net cost impact cannot be determined at this time. As discussed in the Attachment, the City currently pays an average of approximately $265 per hour for outside legal counsel and approximately $152 per hour for experienced attorneys, or $113 per hour less, for City Attorney legal services. Therefore, the Controller's Office advises that depending on the number of hours used, the level of expertise and the advice given by outside counsel, the City 's costs for legal services could either increase or decrease under the proposed Charter Amendment.

Recommendation:

Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Attachment

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLLE

Edward Harringt
Controll

Matthew H. Hym
Chief Assistant Controll

June 20, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010962
Proposed Charter Amendment to allow broader use of outside counsel

Dear Ms. Young,

Should the proposed charter amendment be approved by the voters, in my opinion, the net effect on the cost of government cannot be determined at this time.

The amendment provides that the Director of Elections and the Ethics Commission may request outside counsel on their own authority, without approval by the City Attorney. The amendment also provides that any officer, department head, board or commission, may request the services of outside counsel, and that denial of such a request by the City Attorney may be appealed through the Board of Supervisors. Depending on the number of hours used, the level of expertise, and the advice given by outside counsel, the City's costs for legal services could increase or decrease under this provision. The city currently pays an average of approximately $265 per hour for the services of outside counsel. The City Attorney's current billing rate for experienced attorneys is approximately $152 hour.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 8 – File 01-0958

Proposed Charter Amendment: Charter Amendment to create agency status for the Ethics Commission; to strengthen Civil Service protection of Commission employees; to establish a budget process for the Commission; and to establish independent legal counsel for the Commission.

Draft: First

Charter Sections Affected: Sections 15.100, 15.101, 15.102, C3.699-14 and C3.699-15

Description: The proposed Charter Amendment would create agency status for the Ethics Commission and appoint the Director of Elections as an ex officio non-voting member of the Ethics Commission. In addition, this Charter Amendment would require the Ethics Commission to establish and submit a proposed budget to the Mayor by March 1 of each year. The Mayor would be required to include the Ethics Commission's proposed budget in the Mayor's overall proposed budget to the Board of Supervisors, without making any changes, although the Mayor may include recommendations for changes to the Ethics Commission budget. The Board of Supervisors would be authorized to amend, if necessary, and approve the Ethics Commission budget, however, the Mayor could not reduce or reject any expenditures authorized by the Board of Supervisors for the Ethics Commission.

The proposed Charter Amendment would also authorize the Ethics Commission to retain independent legal counsel to represent the Ethics Commission in all legal matters, including but not limited to proceedings in State or Federal Court. Such legal counsel would be required to be California State Bar members in good standing, would be considered employees of the Ethics Commission and would serve at the pleasure of the Commission.

The Executive Director would be appointed by the Commission, as is the current practice. However, under the proposed Charter Amendment, the Executive Director could only be removed for cause whereas currently, the Executive Director serves at the pleasure of the Commission. The proposed Charter Amendment would also delete the existing provision that members of the Ethics Commission will serve without compensation, strengthens Civil Service protections of Ethics Commission employees and add prohibitions regarding campaign consultants as relates to the Ethics Commission members and Executive Director.

Comments:

1. Currently, the Ethics Commission uses the City Attorney's Office for all legal matters. According to Mr. Chad Jacobs of the City Attorney's Office, the proposed Charter Amendment would require the Ethics Commission to hire independent legal counsel, rather than relying on the services of the City Attorney's Office. Mr. Jacobs advises that the outside legal counsel could be either individual in-house Ethics Commission legal staff or a legal firm retained by the Ethics Commission.

2. As noted above, the proposed Charter Amendment would delete the current Charter language that states that Ethics Commission members shall serve without compensation. However, the proposed Charter Amendment does not specify the rate of compensation for the Ethics Commission. According to Mr. Jacobs, the Board of Supervisors would be authorized to establish compensation rates for the Ethics Commission.

3. Ms. Martie Moore of the City Attorney's Office advises that in FY 2000-01, the City Attorney's Office estimates that their Office will spend approximately 2,287 hours for the Ethics Commission, at an average rate of $140 per hour, including overhead, for a total cost of approximately $320,180. The Attachment, provided by the Controller's Office, advises that changing the way legal services are provided to the Ethics

Commission will not significantly affect the cost of providing these services. Overall, the Controller's Office advises that the proposed Charter Amendment would not result in any significant increased costs to the City.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Attachment

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLE

Edward Harringto
Controll

Matthew H. Hym
Chief Assistant Controll

June 20, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File 010958
Proposed Charter Amendment to establish agency status and make other changes to the Ethics Commission

Dear Ms. Young,

Should the proposed charter amendment be approved by the voters, in my opinion, there would no significant increase in the cost of government. The amendment provides that only the Board of Supervisors, but not the Mayor, may revise the budget submitted by the Ethics Commission. The amendment also specifies changes to some employment provisions at the Ethics Commission and changes in the way that legal services are provided to the Ethics Commission; however, these clauses will not significantly affect the cost of these functions.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 9 – File 01-0955

Proposed Charter Amendment: Charter Amendment to create agency status for the Ethics Commission; to strengthen Civil Service protection of Commission employees; to establish a budget process for the Commission; and to establish independent legal counsel for the Commission.

Draft: First

Charter Sections Affected: Sections 15.100, 15.101, 15.102, C3.699-14 and C3.699-15

Description: The proposed Charter Amendment would create agency status for the Ethics Commission and appoint the Director of Elections as an ex officio non-voting member of the Ethics Commission. In addition, this Charter Amendment would require the Ethics Commission to establish and submit a proposed budget to the Mayor by March 1 of each year. The Mayor would be required to include the Ethics Commission's proposed budget in the Mayor's overall proposed budget to the Board of Supervisors, without making any changes, although the Mayor may include recommendations for changes to the Ethics Commission budget. The Board of Supervisors would be authorized to amend, if necessary, and approve the Ethics Commission budget, however, the Mayor could not reduce or reject any expenditures authorized by the Board of Supervisors for the Ethics Commission.

The proposed Charter Amendment would also authorize the Ethics Commission to retain independent legal counsel to represent the Ethics Commission in all legal matters, including but not limited to proceedings in State or Federal Court. Such legal counsel would be required to be California State Bar members in good standing with at least five years of experience in trial practice. Legal counsel would be considered employees of the Ethics Commission and would

serve at the pleasure of the Commission. The proposed Charter Amendment would also strengthen Civil Service protections of Ethics Commission employees.

Under the proposed Charter Amendment, the Executive Director would be appointed and removed by the Commission, as is the current practice and would also provide that members of the Ethics Commission will continue to serve without compensation.

Comments:

1. Currently, the Ethics Commission uses the City Attorney's Office for all legal matters. According to Mr. Chad Jacobs of the City Attorney's Office, the proposed Charter Amendment would require the Ethics Commission to hire independent legal counsel, rather than relying on the services of the City Attorney's Office. Mr. Jacobs advises that the outside legal counsel could be either individual in-house Ethics Commission legal staff or a legal firm hired for the Ethics Commission.

2. Ms. Martie Moore of the City Attorney's Office advises that in FY 2000-01, the City Attorney's Office estimates that their Office will spend approximately 2,287 hours for the Ethics Commission, at an average rate of $140 per hour, including overhead, for a total cost of approximately $320,180. The Attachment, provided by the Controller's Office, advises that changing the way legal services are provided to the Ethics Commission will not significantly affect the cost of providing these services. Overall, the Controller's Office advises that the proposed Charter Amendment would not result in any significant increased costs to the City.

Recommendation:

Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Attachment

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLER

Edward Harrington
Controller

Matthew H. Hymel
Chief Assistant Controller

June 20, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010955
Proposed Charter Amendment to establish agency status and make other changes to the Ethics Commission

Dear Ms. Young:

Should the proposed charter amendment be approved by the voters, in my opinion, there would no significant increase in the cost of government. The amendment provides that only the Board of Supervisors, but not the Mayor, may revise the budget submitted by the Ethics Commission. The amendment also specifies changes to some employment provisions at the Ethics Commission and changes in the way that legal services are provided to the Ethics Commission; however, these clauses will not significantly affect the cost of these functions.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 10 - File 01-0959

Proposed Charter Amendment: Charter Amendment amending Sections 13.104, 13.110 and 15.102 and adding Sections 13.103.5, 13.104.3 and 13.104.5 to (1) create an Elections Commission, (2) establish that the Director of Elections is appointed by the Elections Commission and may be removed for cause, (3) establish a budget process; (4) establish independent legal counsel and (5) require appointments to an Elections Task Force by the Elections Commission instead of the Director of Elections.

Draft: First

Charter Sections Affected: Sections 13.103.5, 13.104, 13.104.3, 13.104.5, 13.110 and 15.102.

Description: The proposed Charter Amendment would create a new Elections Commission, which would be responsible for (1) overseeing all Federal, State, district and municipal elections in San Francisco, (2) establishing general policies for the Department of Elections, (3) developing the administration and operating practices for the Department of Elections, subject to the budgetary and fiscal provisions of the City's Charter. The Elections Commission would be comprised of seven voting members serving one four-year term, with three of the members appointed by the Board of Supervisors, and one member each appointed by the Mayor, City Attorney, District Attorney and Controller. In addition, the Executive Director of the Ethics Commission would be a non-voting member of the Elections Commission.

Under the proposed Charter Amendment, the Director of Elections would be appointed by the newly formed Elections Commission and could be removed only by the Commission. The Director of Elections would be responsible for appointing and removing other employees of the Department.

Currently, there is no Commission that oversees the Department of Elections. Instead, the Department of Elections is fully administered by the Director of Elections, who is appointed by the City Administrator. Currently, the Director of Election may be removed by the City Administrator for cause, subject to appeal to the Civil Service Commission.

The proposed Charter Amendment would also require the Elections Commission to approve and submit a detailed budget to the Mayor by March 1 of each year. The Mayor would be required to include the Elections proposed budget in the overall proposed budget to the Board of Supervisors, without making any changes, although the Mayor may include recommendations for changes to the Elections budget. The Board of Supervisors would be permitted to amend, prior to adopting the proposed Commission and Department of Elections budget. In accordance with the proposed Charter Amendment, the Mayor would not be permitted to reduce or reject any Elections expenditures authorized by the Board of Supervisors.

The proposed Charter Amendment would also authorize the Elections Commission to retain independent legal counsel positions to represent the Elections Commission and Elections Department in all legal matters and such counsel positions shall be considered employees of the Department of Elections and serve at the pleasure of the Elections Commission. General Counsel retained pursuant to the proposed Section 13.104.5 must be in good standing with the California State Bar. Currently, the Department of Elections uses the City Attorney's Office for all legal matters. According to Mr. Jacobs, the proposed Charter Amendment would require the Elections Commission to hire independent outside legal counsel or in-house Department of Elections legal staff, rather than relying on the services of the City Attorney's Office.

Currently, the Director of Elections makes three appointments to the nine-member Elections Task Force, which, when convened by the Board of Supervisors, is responsible for redrawing district lines if it is has been determined that the districts are not in compliance with all legal requirements, including that the districts are equal in populations. Under the proposed Charter Amendment, the Elections Commission would also be responsible for appointing three members to the Elections Task Force instead of the Director of Elections.

The Elections Commission members could only be removed from office in accordance with Charter Section 15.105, which provides for suspension by the Mayor and removal by the Board of Supervisors for official misconduct.

Comments:

1. The proposed Charter Amendment also provides that Elections Commission members may not (1) hold any other public office or employment with any City, State or Federal government, (2) participate in or contribute to any candidate campaigns, ballot measures, or (3) employ or be employed by or receive any gifts or other compensation from lobbyists or campaign consultants, or any organization that makes political endorsements.

2. Section 13.104 on Page 3 of the proposed Charter Amendment incorrectly states, "during his or her tenure, no member of the Elections Commission members may (1) hold any other public office or employment with any City, State or Federal government, (2) participate in or contribute to any candidate campaigns, ballot measures, or (3) employ or be employed by or receive any gifts or other compensation from lobbyists or campaign consultants, or any organization that makes political endorsements. This Section should be corrected to read, "during his or her tenure, the Director of Elections or any employee of the Department of Elections...." Therefore, the Budget Analyst recommends amending the proposed

Charter Amendment to account for this technical correction.

3. As noted above, the proposed Charter Amendment would require the Elections Commission to hire independent outside private legal counsel or in-house Department of Elections legal staff, rather than relying on the services of the City Attorney's Office. According to Ms. Martie Moore of the City Attorney's Office, the City Attorney's Office is projected to spend approximately 2,266 hours on legal services for the Department of Elections in FY 2000-2001, at an average rate of $140 per hour, which includes overhead, or a total of approximately $317,240. The Attachment, provided by the Controller's Office, states that providing legal services by hiring a staff attorney at the Department of Elections would not significantly change the cost of this function.

4. The Attachment, provided by the Controller's Office, estimates that the minimum increased cost of government would be approximately $113,000 per year to provide an Elections Commission Secretary and cover the costs of meetings, public notices and other requirements of the Elections Commission. The Attachment also states that the proposed Charter Amendment does not specify whether particular administrative functions, such as budget preparation, would be provided by the Department of Elections. To the extent that these functions are changed, the costs to the City could increase or decrease.

5. The proposed Charter Amendment does not state if members of the Elections Commission would be compensated. Therefore, it is possible that in the future, compensation for members of the Elections Commission could be implemented.

Recommendations: 1. Amend Section 13.104 on page 3 of the proposed Charter Amendment to correct a clerical error by replacing the phrase "no member of the Commission" with "the Director of Elections or any

employees of the Department of Elections," in accordance with Comment 2 above.

2. Approval of the proposed Charter Amendment, as amended, is a policy matter for the Board of Supervisors.

Attachment

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLER

Edward Harrington
Controller

Matthew H. Hymel
Chief Assistant Controller

June 20, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010959
Charter Amendment to create an Elections Commission; to establish that the Director of Elections is appointed by the Commission and may be removed for cause; to establish a budget process for the Commission and the Department of Elections; to establish independent legal counsel for the Commission and the Department of Elections; and to require appointments to an Elections Task Force by the Commission instead of the Director of Elections

Dear Ms. Young:

Should the proposed charter amendment be approved by the voters, in my opinion, the minimum increased cost of government would be approximately $113,000 per year to provide an Elections Commission secretary and cover the cost of meetings, public notices, and other requirements of a Commission.

The amendment specifics that the Elections Commission shall hire its own General Counsel. Currently, the City Attorney's Office provides legal services for the Department of Elections. Providing these services instead through hiring a staff attorney at the Department of Elections would not significantly change the cost of this function.

The proposed amendment does not specify whether particular administrative functions, such as budget preparation, would be carried out by the Department of Elections. To the extent that the way in which these functions are provided is changed, the cost of the proposed amendment could increase or decrease. In addition, the amendment provides that only the Board of Supervisors, but not the Mayor, may revise the budget submitted by the Elections Commission.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 12 - File 01-0961

Proposed Charter Amendment: Charter Amendment amending Section 2.100 and adding Section 15.109 to provide that the job of a Board of Supervisors member is a full-time position and that the Supervisors salary will be set by the Ethics Commission, and reconsidered every two years, based on surveys of salaries of comparable public sector positions in the State of California.

Draft: First

Charter Sections Affected: Sections 2.100 and 15.109

Description: The proposed Charter Amendment would amend Section 2.100 and add a new Section 15.109 to the City's Charter to state that the job of each member of the Board of Supervisors is a full-time position and that the Supervisors salary would be set by the Ethics Commission, based on the Ethics Commission's review every two years. In accordance with the proposed Charter Amendment, the Ethics Commission's review would need to consider a salary survey of comparable public sector offices in the State of California, conducted by the Department of Human Resources and certified to the Ethics Commission by the Civil Service Commission. Only the Ethics Commission, therefore by majority vote, would be able to change the salary of the Board of Supervisors.

The Ethics Commission would then be responsible for transmitting the Board of Supervisors salary determination on a timely basis to the Controller's Office so that the Controller would (1) set aside the necessary funding and (2) include the new Supervisors salaries in the appropriate budget documents for implementation. The Ethics Commission would be responsible for establishing their two-year review cycle, to coordinate with City budget processes and related procedures.

The proposed Section would also be amended to delete specific reference to each member of the Board of Supervisors current annual salary of $37,585.

Comment:

The Attachment, provided by the Controller's Office, estimates that the proposed Charter Amendment would result in additional costs of approximately $421,094 annually to provide full-time salaries for the Board of Supervisors. This estimate is based on the difference between the Board of Supervisors current annual salary cost of $413,435 ($37,585 x 11 Supervisors) and the cost based on the average salaries for members of the Board of Supervisors in other Bay Area counties of $779,603 ($70,873 x 11 Supervisors), adjusted for the additional variable fringe benefit costs (15 percent). The Controller's Office also advises that since the Charter currently fixes the salary level for members of the Board of Supervisors, and that the proposed Charter Amendment would set salaries based on surveys of comparable salaries, that these costs are likely to increase over time. There are also estimated to be additional minor costs associated with the Department of Human Resources (DHR) conducting the salary survey and the Ethics Commission determining the salary rate.

Recommendation:

Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Stephen Kawa

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLL

Edward Harring
Control

Matthew H. Hy
Chief Assistant Contro

June 19, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010961
Proposed Charter Amendment to specify that a member of the Board of Supervisors of the City and County of San Francisco is a full time position and to provide that salaries for members of the Board will be set by salary survey.

Dear Ms. Young:

Should the proposed charter amendment be approved by the voters, in my opinion, there would be an increase in the cost of government associated with providing full-time salaries for the Board of Supervisors of approximately $421,094 annually. Members of the Board are currently paid a Charter-mandated amount of $37,585 annually, and are provided with full employee benefits. Based on average salaries for Members of the Board of Supervisors in Bay Area counties, setting these salaries by survey would result in an increase to approximately $70,873 per Supervisor. If it were determined that the jobs of members of the San Francisco Board of Supervisors were comparable to other public sector positions, rather than to county Board of Supervisors' positions, this cost could increase or decrease. The Charter currently fixes the salary level for members of the Board of Supervisors, if these salaries were instead set by survey, they are likely to increase over time. Finally, under the proposed amendment, there would also be a minor cost associated with requiring the Ethics Commission to conduct the salary survey.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Friday, June 22, 2001 **9:00 AM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 9:15 am.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

The matter relating to Vacancy in an Elective Office. File 010540. (See infra)

REGULAR AGENDA

010970 **[Land Fill in San Francisco Bay]**

Supervisors Peskin, Ammiano

Charter amendment (First Draft) to adopt a new Section _____, to allow the qualified electors of the City and County of San Francisco the right to vote on any project proposed, sponsored, or initiated by any department, board, commission, or other unit of government of the City and County of San Francisco, including to the extent law permits, any board, commission or other unit of government of the City and County of San Francisco established by state or federal law that is subject to the provisions of the San Francisco Charter that would pollute San Francisco Bay with fill of 100 acres or more.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Supervisor Aaron Peskin; John Artner; David Lewis, Save the Bay; Timothy Treacy; Marc Salomon; Richard Zimmerman; Michele Moss.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to adopt a new Section _____, to allow the qualified electors of the City and County of San Francisco the right to vote on any Project of said city and county that would place 100 acres or more of fill in San Francisco Bay.

Amended on Page 2, section "a", line 2, to replace the words "of fill to" with "of fill in".
Page 3, line 3, replace the words "90 days" with "150 days".
Page 3, section "b" line 2 to, replace the words "of fill to" with "of fill in".

AMENDED.

Continued to June 29, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010540 [Vacancy in an Elective Office]

Supervisors McGoldrick, Ammiano

Charter amendment (First Draft) to amend Sections 2.102, 3.102, 6.107, 8.100 and 8.101 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

3/26/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/25/2001.

5/3/01, CONTINUED. Heard in Committee. Speakers: Supervisor McGoldrick; Ted Lakey, Deputy City Attorney; Caleb Kleppaer; American Kepner; Janet Carpinelli; Gilbert Criswell; Michael Nolty.

Continued to May 17, 2001.

5/17/01, CONTINUED TO CALL OF THE CHAIR. Supervisor McGoldrick requested that this item be continued to the Call of the Chair.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Debra Newman, Budget Analyst's Office; Supervisor Jake McGoldrick; Steven Hill; Chris Bowman; Marc Salomon; John Bardis; Bill Barnes, aide to Supervisor Chris Daly.

Supervisor Gonzalez requested this item be considered first on the agenda.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to repeal Sections 2.102 and 6.107, to amend Sections 3.102, 8.100 and 8.101, and to add Section 13.101.5 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

Continued to June 29, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010856 [Charter Amendment - Elective Officials]

Supervisors Gonzalez, Leno

Charter amendment (First Draft) to repeal the current Section 13.102 and add a new Section 13.102 to provide for the election of the Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender, and members of the Board of Supervisors using a ranked-choice, or "instant run-off" ballot, to require that City voting systems be compatible with a ranked-choice system, and setting date and conditions for the implementation.

This item will be presented to the voters during the March 2002 elections.

5/7/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Debra Newman, Budget Analyst's Office; Denise Stevens, Controllers Office; Chris Bowman; Steven Hill; Betty Trainer; Nancy Correra; Ann Politale; John Bardis; Matt Grossman; Marc Salomon; Phil Parris; Ted Lakey, Deputy City Attorney.

This item will be presented to the voters during the March 2002 elections.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010963 **[Elections Commission]**

Supervisor Gonzalez

Charter amendment (First Draft) to add Section 13.103.5, amend Sections 13.104 and 15.105 to create an Elections Commission consisting of seven members appointed by the Mayor, the Board of Supervisors, the City Attorney, the Public Defender, the District Attorney, the Ethics Commission and the Sunshine Task Force; to designate that the Director of Elections serves at the pleasure of the Elections Commission; and to provide a removal process for members of the Elections Commission.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010956 **[Charter Amendment regarding Elections, Ethics, Redistricting and Outside Counsel]**

Supervisors Newsom, Gonzalez, Hall, Ammiano

Charter amendment (First Draft) to add Sections 13.103.5, 13.104.3 and 13.104.5, amend Sections 13.104 and 15.102 to create an Elections Commission; to establish that the Director of Elections serves at the pleasure of the Elections Commission; to establish a budget process for the Elections Commission and the Department of Elections; and to establish independent legal counsel for the Elections Commission and the Department of Elections.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010960 **[Use of Adjusted Census Figures]**

Supervisors Daly, Sandoval

Charter amendment (First Draft) to amend Section 13.110 to require the use of adjusted census figures for the purpose of analyzing population requirements for redistricting Supervisorial districts.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 6/20/2001.

Heard in Committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ted Lakey, Deputy City Attorney; Chris Bowman; Steven Hill; John Bardis; Marc Salomon.

Continued to June 29, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010962 [Independent Legal Counsel]

Supervisor Gonzalez

Charter amendment (First Draft) to add Section 13.104.5, amend Sections 6.102, 15.102, and C3.699-15 to allow any officer, department head, board or commission to request that the City Attorney provide for outside legal counsel, to allow an appeal of any denial of a request for outside legal counsel to the Board of Supervisors, and to allow the Department of Elections and the Ethics Commission to retain outside legal counsel at the discretion of the Director of Elections or by majority vote of the Ethics Commission respectively.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010958 [Ethics Commission]

Supervisors Daly, Sandoval

Charter amendment (First Draft) to amend Sections 15.100, 15.101, 15.102, C3.699-14 and C3.699-15 to create agency status for the Ethics Commission; to strengthen civil service protection of Commission employees; to establish a budget process for the Commission; and to establish independent legal counsel for the Commission.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010955 [Ethics Commission]

Supervisor Newsom

Charter amendment (First Draft) to amend Sections 15.100, 15.101, 5.102, C3.699-14 and C3.699-15 to create agency status for the Ethics Commission; to strengthen civil service protection of Commission employees; to establish a budget process for the Commission; and to establish independent legal counsel for the Commission.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010959 [Elections Commission]

Supervisors Daly, Sandoval

Charter amendment (First Draft) to add Sections 13.103.5, 13.104.3, 13.104.5, amend Sections 13.104, 13.110 and 15.102 to create an Elections Commission; to establish that the Director of Elections is appointed by the Commission and may be removed for cause; to establish a budget process for the Commission and the Department of Elections; to establish independent legal counsel for the Commission and the Department of Elections; and to require appointments to an Elections Task Force by the Commission instead of the Director of Elections.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010907 [Charter Amendment - Noncitizens on City Boards, Commissions, and Advisory Bodies]

Supervisor Gonzalez

Charter amendment (First Draft) to amend Section 4.101 to permit noncitizens to serve on appointive boards, commissions, and advisory bodies.

5/14/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/13/2001.

Heard in Committee. Speaker: none.

Continued to August 16, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010961 [Member, Board of Supervisors]

Supervisors Gonzalez, Hall

Charter amendment (First Draft) to amend Section 2.100, add Section 15.109 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Supervisors' salary will be set by the Ethics Commission. The Ethics Commission will receive and consider a survey regarding salaries of comparable public sector positions found in the State of California, and will review and reconsider the Supervisors' salary every two years.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Kate Favetti, Executive Director, Civil Service Commission.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 2:10 pm.

City Hall
1 Dr. Carlton B.
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94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Friday, June 29, 2001 **9:00 AM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 9:19 am.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

There were no items indicated.

REGULAR AGENDA

010596 [Power Authority]

Supervisors Newsom, Hall

Charter amendment (Third Draft) to repeal Section 16.103, amend Sections 4.112, 9.107 and 13.101 and to add new Sections 4.134, 4.135, 4.136, 4.137 and 4.138 and 4.139, to form a Power Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission related to energy operations, propose ordinances setting energy and water efficiency goals and standards that may become effective without action by the Board of Supervisors, and to remove authority for the transfer of excess surplus utility funds from energy operations to the City's General Fund.

(Fiscal impact.)

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

4/9/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Second Draft) bearing new title.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/9/2001.

4/16/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/16/2001.

4/16/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Third Draft), approved as to form, bearing new title.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010597 **[Power and Water Authority]**

Supervisors Newsom, Hall

Charter amendment (Fourth Draft) to repeal Sections 4.112 and 16.103, amend Sections 9.107 and 13.101, and add new Sections 4.134, 4.135, 4.136, 4.137, and 4.138 to: eliminate the Public Utilities Commission; form a newly established Power and Water Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission and, in addition, be responsible for the generation, sale and transmission of electricity, steam and other energy and be responsible for proposing ordinances setting energy and water efficiency goals and standards that may become effective without action by the Board of Supervisors; and remove authority for the transfer of excess surplus utility funds to the City's General Fund.

(Fiscal impact.)

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

4/9/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Second Draft) bearing new title.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/9/2001.

4/16/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Third Draft), approved as to form, bearing new title.

4/16/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/16/2001.

5/21/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Fourth Draft), approved as to form, bearing new title.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speaker: none.

Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Fifth Draft) to repeal Sections 4.112, 16.103 and A8.508, amend Sections 9.107, 3.101 and A8.500, and add new Sections 4.134, 4.135, 4.136, 4.137, 4.138 and 4.139 to: eliminate the Public Utilities Commission; form a Power and Water Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission and, in addition, be responsible for the generation, sale and transmission of electricity, steam and other energy and be responsible for proposing ordinances setting energy and water efficiency goals and standards that may become effective without action by the Board of Supervisors; and remove authority for the transfer of excess surplus utility funds to the City's General Fund.

(Fiscal impact.)

Continued to July 6, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010679 **[Special Election, Power and Water Authority Directors]**

Supervisors Hall, Newsom

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on November 6, 2001, for the purpose of submitting to the voters the election of five directors to serve on the board of directors of the Power and Water Authority; consolidating the special election for all purposes with the general municipal election to be held in the City and County of San Francisco on November 6, 2001; and directing the Director of Elections to take all steps necessary to conduct the election for these positions.

4/16/01, RECEIVED AND ASSIGNED to Rules Committee.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010680 [Special Election, Power Authority Directors]

Supervisors Hall, Newsom

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on November 6, 2001, for the purpose of submitting to the voters the election of five directors to serve on the board of directors of the Power Authority; consolidating the special election for all purposes with the general municipal election to be held in the City and County of San Francisco on November 6, 2001; and directing the Director of Elections to take all steps necessary to conduct the election for these positions.

4/16/01, RECEIVED AND ASSIGNED to Rules Committee.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010957 [Municipal Water and Power Agency]

Supervisor Ammiano

Draft Charter amendment (First Draft) to repeal Section 4.112 and 16.103, amend Section 13.101, add a new Chapter 8B, to: eliminate the Public Utilities Commission; form a Municipal Water and Power Agency which shall succeed to all powers and responsibilities of the Public Utilities Commission and be responsible for the generation, sale and transmission of electricity, steam and other energy, be responsible for proposing ordinances setting energy and water efficiency goals and standards to the Board of Supervisors; and to prohibit the transfer of excess surplus utility funds to the City's General Fund for a ten year period after the effective date of the measure.

(Fiscal impact.)

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speaker: none.

Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Draft Charter amendment (Second Draft) to repeal Section 4.112 and 16.103, and A8.508, amend Section 9.107, 13.101 and A8.500, and add a new Chapter 8B, to: eliminate the Public Utilities Commission; form a Municipal Water and Power Agency which shall succeed to all powers and responsibilities of the Public Utilities Commission and, in addition, be responsible for the generation, sale and transmission of electricity, steam and other energy, be responsible for proposing ordinances setting energy and water efficiency goals and standards to the Board of Supervisors; and to prohibit the transfer of excess surplus utility funds to the City's General Fund until the Agency has adopted a 10 year capital plan, a 5 year business plan and a bi-annual budget subject to review by the Controller.

(Fiscal impact.)

Continued to July 6, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010983 **[Revenue Bonds, Renewable Energy and Energy Conservation Projects]**

Supervisor Ammiano

Charter amendment (First Draft) to amend Section 9.107 to provide for the financing of the acquisition, construction, improvement, reconstruction or replacement of renewable energy facilities and energy conservation facilities.

(Fiscal impact.)

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2000.

Heard in Committee. Speaker: Paul Fen.
Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Second Draft) to amend Section 9.107 to provide for the financing of the acquisition, construction, improvement, reconstruction or replacement of renewable energy facilities and energy conservation facilities.

(Fiscal impact.)
Amendment of the whole bearing the same title.
(Supervisor Hall dissenting in Committee.)

Continued to July 6, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010967 **[Livable Streets Fund]**

Supervisors Leno, Maxwell, Newsom

Charter amendment (First Draft) to add Section 16.121, to create a Livable Streets Fund.

(Fiscal impact.)

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Supervisor Mark Leno; Peg Stevenson, Controller's Office; Buck Delventhal, Deputy City Attorney.
Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Second Draft) to add Section 16.121, to create a Livable Streets Fund.

(Fiscal impact.)

Continued to July 6, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010964 **[Appointments to Planning Commission]**

Supervisors Gonzalez, McGoldrick, Daly

Charter amendment (First Draft) to amend Section 4.105 to provide that appointments to the Planning Commission shall be shared by the Mayor and the Board of Supervisors.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick.
Continued to July 6, 2001.

CONTINUED.

010969 **[Board of Appeals appointments]**

Supervisors McGoldrick, Leno, Maxwell, Sandoval, Gonzalez, Daly, Ammiano, Hall

Charter amendment (First Draft) to amend Section 4.106 to provide that appointments to the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Second Draft) to amend Section 4.106 to provide that appointments to the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

Continued to July 6, 2001.

CONTINUED.

010968 **[Mayor's Budget deadline]**

Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 9.100 to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than February 28 of each year.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speaker: Supervisor Jake McGoldrick; Buck Delventhal, Deputy City Attorney. Continued to July 6, 2001.

CONTINUED.

ADJOURNMENT

The meeting adjourned at 5:05 pm.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Friday, June 29, 2001 **9:01 AM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 9:19 am.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

There were no items indicated.

REGULAR AGENDA

010970 **[Land Fill in San Francisco Bay]**

Supervisors Peskin, Ammiano, Hall

Charter amendment (Second Draft) to adopt a new Section _____, to allow the qualified electors of the City and County of San Francisco the right to vote on any Project of said city and county that would place 100 acres or more of fill in San Francisco Bay.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Aaron Peskin; John Artner; David Lewis, Save the Bay; Timothy Treacy; Marc Salomon; Richard Zimmerman; Michele Moss.

6/22/01, AMENDED. Amended on Page 2, section "a", line 2, to replace the words "of fill to" with "of fill in".
Page 3, line 3, replace the words "90 days" with "150 days".
Page 3, section "b" line 2 to, replace the words "of fill to" with "of fill in".

6/22/01, CONTINUED. Continued to June 29, 2001.

Heard in Committee. Speakers: Supervisor Aaron Peskin; Ted Lakey, Deputy City Attorney; John Martin, Airport Director; Supervisor Jake McGoldrick; David Lewis; Dorley Rolph; Frederick Hobson; Oscar Braun; Zeke Grader, Pacific Coast Federation of Fisherman Association; Nathan Naman; Stan Warren; Tom Jordan; Mike Hardeman; Marjorie Mandell; Sean Randolph; Sarah Owsowitz-Klein, Deputy City Attorney; Doug Comstock; Armidine Jaba; Marc Salomon; Arthur Chang.
Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment to adopt a new Section 16.122, to allow the qualified electors of the City and County of San Francisco the right to vote on any Project of said city and county that would place 100 acres or more of fill in San Francisco Bay.

Amended on page 2, section "c" line 9, replace the words "150 days" with "one hundred and twenty (120) days".

AMENDED.

Charter amendment(Third Draft) to adopt a new Section 16.122, to allow the qualified electors of the City and County of San Francisco the right to vote on any Project of said city and county that would place 100 acres or more of fill in San Francisco Bay.

Continued to July 6, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010540 [Vacancy in an Elective Office]

Supervisors McGoldrick, Ammiano, Gonzalez

Charter amendment (Second Draft) to repeal Sections 2.102 and 6.107, to amend Sections 3.102, 8.100 and 8.101, and to add Section 13.101.5 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

3/26/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/25/2001.

5/3/01, CONTINUED. Heard in Committee. Speakers: Supervisor McGoldrick; Ted Lakey, Deputy City Attorney; Caleb Kleppaer; American Kepner; Janet Carpinelli; Gilbert Criswell; Michael Nolty.

Continued to May 17, 2001.

5/17/01, CONTINUED TO CALL OF THE CHAIR. Supervisor McGoldrick requested that this item be continued to the Call of the Chair.

6/22/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Debra Newman, Budget Analyst's Office; Supervisor Jake McGoldrick; Steven Hill; Chris Bowman; Marc Salomon; John Bardis; Bill Barnes, aide to Supervisor Chris Daly.

Supervisor Gonzalez requested this item be considered first on the agenda.

6/22/01, CONTINUED. Continued to June 29, 2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.

Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Third Draft) to repeal Sections 2.102 and 6.107, to amend Sections 3.102, 8.100 and 8.101, and to add Section 13.101.5 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

Continued to July 6, 2001.

CONTINUED.

010963 **[Elections Commission]**

Supervisor Gonzalez

Charter amendment (First Draft) to add Section 13.103.5, amend Sections 13.104 and 15.105 to create an Elections Commission consisting of seven members appointed by the Mayor, the Board of Supervisors, the City Attorney, the Public Defender, the District Attorney, the Ethics Commission and the Sunshine Task Force; to designate that the Director of Elections serves at the pleasure of the Elections Commission; and to provide a removal process for members of the Elections Commission.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED. Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010956 **[Charter Amendment regarding Elections, Ethics, Redistricting and Outside Counsel]**

Supervisors Newsom, Gonzalez, Hall, Ammiano

Charter amendment (First Draft) to add Sections 13.103.5, 13.104.3 and 13.104.5, amend Sections 13.104 and 15.102 to create an Elections Commission; to establish that the Director of Elections serves at the pleasure of the Elections Commission; to establish a budget process for the Elections Commission and the Department of Elections; and to establish independent legal counsel for the Elections Commission and the Department of Elections.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED. Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.

Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment adding Section 13.103.5 and 13.104.5 and amending Sections 6.102, 13.104, 13.110, 15.100, 15.101, 15.102, 15.105, C3.699-13, C3.699-14 and C3.699-15 to create an Elections Commission; to establish procedures for the Elections Commission to appoint the Director of Elections; to institute conflict-of-interest prohibitions applicable to members and employees of the Elections Commission and Department of Elections; to establish procedures for the Elections Commission and the Department of Elections to retain outside legal counsel when the City Attorney has a conflict of interest relating to his or her candidacy; to replace the Controller with the Assessor as an appointing authority for the Ethics Commission; to lengthen the term of Ethics Commissioners from four to six years; to strengthen conflict-of-interest prohibitions and establish revolving-door prohibitions applicable to members and employees of the Ethics Commission; to strengthen civil service protection of Ethics Commission employees; to amend the Ethics Commission's investigative process; to provide that the appointing authority, rather than the Mayor, may initiate removal of Elections and Ethics Commissioners; to establish a procedure whereby elected officers, Department heads, Boards and Commissions may retain outside counsel if the City Attorney has an ethical or financial conflict of interest regarding a particular matter; to prohibit the City Attorney from participating in campaigns other than his or her own; to provide that the Elections Commission, rather than Director of Elections, shall appoint three members to the Elections Task Force; to require the use of adjusted census figures for the purposes of analyzing population requirements for redistricting Supervisorial districts; and to set deadlines for creation of the Elections Task Force and for completion of redistricting.

Continued to July 6, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010960 **[Use of Adjusted Census Figures]**

Supervisors Daly, Sandoval

Charter amendment (First Draft) to amend Section 13.110 to require the use of adjusted census figures for the purpose of analyzing population requirements for redistricting Supervisorial districts.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED. Heard in Committee. Speakers: Bill Barnes, aide to Supervisor Daly; Ted Lakey, Deputy City Attorney; Chris Bowman; Steven Hill; John Bardis; Marc Salomon.

Continued to June 29, 2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010962 **[Independent Legal Counsel]**

Supervisor Gonzalez

Charter amendment (First Draft) to add Section 13.104.5, amend Sections 6.102, 15.102, and C3.699-15 to allow any officer, department head, board or commission to request that the City Attorney provide for outside legal counsel, to allow an appeal of any denial of a request for outside legal counsel to the Board of Supervisors, and to allow the Department of Elections and the Ethics Commission to retain outside legal counsel at the discretion of the Director of Elections or by majority vote of the Ethics Commission respectively.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED. Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff, Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010958 **[Ethics Commission]**

Supervisors Daly, Sandoval

Charter amendment (First Draft) to amend Sections 15.100, 15.101, 15.102, C3.699-14 and C3.699-15 to create agency status for the Ethics Commission; to strengthen civil service protection of Commission employees; to establish a budget process for the Commission; and to establish independent legal counsel for the Commission.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED. Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010955 **[Ethics Commission]**

Supervisor Newsom

Charter amendment (First Draft) to amend Sections 15.100, 15.101, 5.102, C3.699-14 and C3.699-15 to create agency status for the Ethics Commission; to strengthen civil service protection of Commission employees; to establish a budget process for the Commission; and to establish independent legal counsel for the Commission.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED. Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010959 **[Elections Commission]**

Supervisors Daly, Sandoval

Charter amendment (First Draft) to add Sections 13.103.5, 13.104.3, 13.104.5, amend Sections 13.104, 13.110 and 15.102 to create an Elections Commission; to establish that the Director of Elections is appointed by the Commission and may be removed for cause; to establish a budget process for the Commission and the Department of Elections; to establish independent legal counsel for the Commission and the Department of Elections; and to require appointments to an Elections Task Force by the Commission instead of the Director of Elections.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED. Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 5:05 pm.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Tuesday, July 03, 2001 **10:00 AM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 10:00 am.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

There were no items indicated.

REGULAR AGENDA

010809 **[Rules of Order Amendment, Business Tax Restructuring Committee]**
Supervisor Ammiano

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco, by adding Section 5.9.5, thereby creating a new Business Tax Restructuring Committee of the Board.

4/30/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: David Greenburg, Deputy City Attorney; Buck Delventhal, Deputy City Attorney.

Amended on Page 1, line 11, after the words "business tax." add the words "The Business Tax Restructuring Committee shall be a fiscal committee within the meaning of Administrative Code Section 2.6-3."

AMENDED.

RECOMMENDED AS AMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010888 [Pedestrian Safety and Street Resurfacing]

Supervisors Ammiano, Peskin, Sandoval, Hall, Gonzalez, Maxwell

Resolution establishing a Pedestrian Safety and Street Resurfacing Working Group to review existing and projected capital needs related to the backlog of pedestrian safety, disability access, bicycle safety, street resurfacing and school area safety projects; establishing the membership, staffing and scope of work for the Working Group; and establishing August 1, 2001 as the date the Working Group will provide its recommendations to the Board of Supervisors and the San Francisco County Transportation Authority regarding existing and potential funding sources, including a potential General Obligation bond issue, that are most appropriate to meet these capital needs.

5/14/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

6/23/01, TRANSFERRED to Rules Committee.

Heard in Committee. Speakers: Ed Lee, Director, Public Works; Mr. Gregor, Disablility Access; Dan Garber; Bob Planthold; Emily Dremen; male; Leah Shahum.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010844 [Storage Container Removal and Storage]

Supervisors Ammiano, Gonzalez

Ordinance amending Part II, Chapter X, of the San Francisco Municipal (Public Works Code) by adding Article 24 Sections 1407-1414 to create procedures for removal of personal property and storage containers from public and private property and for storage of property and to encourage City departments to create additional free storage facilities.

5/7/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

6/19/01, CONTINUED TO CALL OF THE CHAIR.

6/23/01, TRANSFERRED to Rules Committee.

Heard in Committee. Speakers: Mara Raider, Coalition on Homelessness; Ed Lee, Director, Public Works; Mohammed Nuru, Deputy Director, Public Works; Elizabeth Goldstein, Recreation and Parks; Commander Bruce, Police Dept.; Maya Nordberg; David Greenburg, Deputy City Attorney; Tonya; Father Louis Vitale; Ron Rutger; Jim Haber; Gail Gilman; Keith Savage; Mary Kate Cobber; Paul Boden; Julie Wong; Kathleen Gray; Ellis Wilson; Joshua Walters; Gail Hanigman; Mathew Tem; Altons Conney; George Smith, Director, Mayors Office of Homelessness.

Amendment of the whole bearing a new titile.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1415 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

(Supervisor Hall dissenting in committee.)

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano

Noes: 1 - Hall

011165 **[Citizens Advisory Committee on Elections]**

Supervisors Hall, Gonzalez, Sandoval, Newsom

Ordinance reconstituting the Citizens Advisory Committee on Elections by changing procedures and requirements for appointment of its members and prohibiting certain office-holding and campaign and lobbying activities by its members.

6/18/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Larry Griffith; Chris Bowman; Ann Poltale; Marcel Cartipilla. Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Amended on page 2, line 3, after the words "shall be four years." add the words "The terms of each voting member will be staggered. Upon enactment of this ordinance, each voting member will draw a lot to determine the expiration of his or her initial term. Two voting members' initial terms will expire on July 1, 2002; three voting members' initial terms will expire on July 1, 2003; three voting members' initial terms will expire on July 1, 2004; and three voting members' initial terms will expire on July 1, 2005."
On page 2, line 14, before the words "If a member" add the words "If a member is unable to attend a meeting of the CACE, he or she shall so notify all other members at least forty-eight hours before the meeting."
One page 2, line 16, after the words "consecutive meetings" add the words "without providing such notice"
AMENDED.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Hall, Ammiano
Absent: 1 - Gonzalez

ADJOURNMENT

The meeting adjourned at 1:26 pm.

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF CANCELLED MEETING

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the meeting of the Rules Committee scheduled for July 5, 2001 at 1:00 PM at 1 Dr. Carlton B. Goodlett Place, Room 263, City Hall, San Francisco, California, has been **cancelled**.

Gloria L. Young, Clerk of the Board

07-02-01A10:51 RCVD

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S.F. BOARD OF SUPERVISORS
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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

July 3, 2001

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TO: Rules Committee

FROM: Budget Analyst

SUBJECT: July 6, 2001 Special Rules Committee Meeting

Item 3 – File 01-0540

Note: This item was continued by the Rules Committee at its meeting of June 29, 2001.

Proposed Charter Amendment: Charter Amendment repealing Sections 2.102 and 6.107, amending Sections 3.102, 8.100 and 8.101 and adding Section 13.101.5 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

Draft: Second Draft

Charter Sections Affected: Sections 2.102, 3.102, 6.107, 8.100, 8.101 and 13.101.5

Description: The proposed Charter provides that if a vacancy occurs due to death, resignation, permanent disability or the inability to otherwise carry out the responsibilities of elective office, then the Mayor would appoint a qualified individual to fill that vacancy. The elective offices that are included are: Assessor-Recorder, City Attorney, District Attorney, Public Defender, Sheriff, Treasurer, Member of the Board of Supervisors, Board of Education or Governing Board of the Community College. Under the proposed Charter Amendment,

the individual appointed to fill the vacancy would serve until a successor is selected at the next election that occurs not less than 120 days after the vacancy occurs. However, if an election for the vacated office is already scheduled to occur less than one year after the vacancy, the appointed individual would serve until a successor is selected at that next scheduled election.

The proposed Charter Amendment also provides that if the Office of Mayor becomes vacant, the President of the Board of Supervisors would become Acting Mayor and serve until a successor is appointed by the Board of Supervisors.

In addition, the proposed Charter Amendment states that if no candidate receives a majority vote at the election to fill the vacancy, a Municipal Runoff Election will be held five weeks later for the two candidates who received the most votes in the election to fill the vacancy.

Currently, the Charter provides that vacancies in the Assessor Recorder, City Attorney, District Attorney, Public Defender, Sheriff or Treasurer offices or on the Board of Supervisors are appointed by the Mayor, and if more than 29 months remain in the unexpired term for that office, the appointee would have to run for that office in the next General Municipal or Statewide Election occurring not less than 120 days after the appointment. The Charter also currently provides that vacancies on the Board of Education or the Governing Board of the Community College be appointed by the Mayor for the length of the unexpired term.

Currently, the Charter provides that if the Mayor's Office becomes vacant, the President of the Board shall serve as Acting Mayor until a successor is elected by the Board of Supervisors, and if more than 29 months remain in the unexpired term of the Mayor, the successor elected by the Board of Supervisors would have to run for Mayor in the next General Municipal or Statewide Election

occurring not less than 120 days after the appointment.

The Charter does not currently call for Municipal Runoff Elections in the event that no one candidate receives a majority of the votes in the election to fill the vacancy.

Therefore, the proposed Charter Amendment would reduce the amount of time that an appointee would remain in office from up to 29 months to when the next election is held, but no sooner than 120 days.

Comments:

1. A Controller's report, detailing the costs of the proposed Charter Amendment will be submitted directly to the Committee.

2. As noted above, the appointee to the vacated office would be required to run in any already scheduled Special Election, General Municipal Election or Statewide Election, after a period of 120 days but not more than one year, and, if no candidate receives a majority vote at the election to fill the vacancy, a Municipal Runoff Election will be held five weeks later for the two candidates who received the most votes in the election to fill the vacancy. The costs associated with a Municipal Runoff Election would vary, depending on whether the runoff election was held at the District-level or Citywide.

3. The Budget Analyst notes that if no Municipal Runoff Elections are required to be held, than the costs of the proposed Charter Amendment should be minimal. The additional cost would only be the cost of placing an additional candidate on the ballot and in the Voter Information Pamphlet for an already scheduled election.

Recommendation:

Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Item 4 - File 01-0967

Note: This item was continued by the Rules Committee at its meeting of June 29, 2001.

Item: Charter Amendment adding Section 16.121 to provide that the City and County of San Francisco establish a Livable Streets Fund.

Draft: First

Description: The subject Charter Amendment would add Section 16.121 to establish the Livable Streets Fund. Under the proposed Charter Amendment, 75 percent of the Livable Streets Fund would be exclusively used for capital projects promoting pedestrian, bicycle and school area safety and the remaining 25 percent would be used for urban forestry programs. The subject amendment to the City Charter would (a) fix an annual level of funding for the Livable Streets Fund and, (b) establish a methodology to set and adjust this annual level of funding from Property Tax proceeds set at an annual amount equal to the excess of the General Fund's share of Parking Tax proceeds for that year above the baseline. The proposed Charter Amendment establishes the baseline as the General Fund's share of the Parking Tax for Fiscal Year 2000-2001, adjusted annually for inflation.[1]

Under this Charter Amendment, the Controller would determine the amount to fund the Livable Streets Fund, based on the methodology described above. The Controller would also determine adjustments in subsequent years for the Livable Streets Fund, based on the percentage increase or decrease in the General Fund's share of the Parking Tax, as annually adjusted for inflation.

The Livable Streets Fund shall not include funds granted to the City from private agencies or

[1] In FY 2000-2001, the General Fund's share of Parking Taxes was $20,557,000.

appropriated by other public agencies and received by the City. In addition to the General Fund appropriation, the Livable Streets Fund would retain all gross revenues from interest earnings and any amount unspent at the end of each fiscal year. All funds remaining in the Livable Streets Fund that are carried forward at the end of each fiscal year, would be appropriated by the Board of Supervisors for the purposes described previously.

In addition, the proposed Charter Amendment would require the City to maintain expenditure levels for capital projects promoting pedestrian, bicycle and school safety areas and urban forestry programs, in addition to the Livable Streets Fund. The base year for such appropriations would be calculated by the Controller no later than three months after the election which approves the subject Charter Amendment. The base year for such calculations would be the aggregate amounts appropriated for Fiscal Year 2000-2001. The base amount for each subsequent fiscal year, beginning in Fiscal Year 2003-2004, shall be adjusted based on calculations from year to year by the percentage increase or decrease in aggregate City and County discretionary revenues.

Comment: A Controller's request detailing the costs of the proposed Charter Amendment will be submitted directly to the Committee.

Recommendation: Approval of this proposed Charter Amendment is a policy matter for the Board of Supervisors.

Item 5 - File 01-0956

Note: This item was continued by the Rules Committee at its meeting of June 29, 2001. It is the Budget Analyst's understanding that an Amendment of the Whole of the First Draft would be submitted to the Rules Committee at its Special Meeting on July 6, 2001. This report is based on the First Draft.

Proposed Charter Amendment: Charter Amendment amending Sections 13.104 and 15.102 and adding Sections 13.103.5, 13.104.3 and 13.104.5 to (1) create a five-member Elections Commission, (2) establish that the Director of Elections serves at the pleasure of the Elections Commission, (3) establish a budget process for the Elections Commission and the Department of Elections; and, (4) establish independent legal counsel for the Elections Commission and the Department of Elections.

Draft: First

Charter Sections Affected: Sections 13.103.5, 13.104, 13.104.3, 13.104.5 and 15.102.

Description: The proposed Charter Amendment would create a new five-member Elections Commission, which would be responsible for (1) overseeing all Federal, State, district and municipal elections in San Francisco, (2) establishing general policies for the Department of Elections, (3) developing the administration and operating practices for the Department of Elections, subject to the budgetary and fiscal provisions of the City's Charter.

The Elections Commission would be comprised of five voting members serving one full four-year term. The Mayor, the Board of Supervisors, the City Attorney, the District Attorney and the Controller shall appoint one member each to the Elections Commission. The Mayor's appointee must have a background in the electoral process. The City Attorney's appointee must have a background in election law. The Controller's appointee must have a background in campaign finance. The members appointed by the District Attorney and the Board of Supervisors shall be broadly

representative of the general public. In the event that a vacancy occurs, the appropriate appointing authority shall appoint a qualified individual person to complete the remainder of the term. In addition, the Executive Director of the Ethics Commission would be a non-voting member of the Elections Commission. Members of the Elections Commission shall serve without compensation.

Currently, there is no Commission that oversees the Department of Elections. Instead, the Department of Elections is fully administered by the Director of Elections, who is appointed by the City Administrator. Currently, the Director of Elections may be removed by the City Administrator for cause, subject to appeal to the Civil Service Commission. Under the proposed Charter Amendment, the Director of Elections would be appointed by and serve at the pleasure of the newly formed Elections Commission and could be removed only by the Elections Commission. The Director of Elections would be responsible for appointing and removing other employees of the Department subject to the Civil Service provisions of the Charter.

The proposed Charter Amendment would also require the Elections Commission to approve and submit a detailed budget for both the Elections Commission and the Elections Department to the Mayor by March 1 of each year. According to Mr. Chad Jacobs of the City Attorney's Office, the proposed Charter Amendment does not provide for other budgetary deadlines. The proposed Charter Amendment requires the Mayor to include the proposed Elections budget, in the Mayor's overall proposed budget to the Board of Supervisors without making any changes, although the Mayor may include recommendations for changes to the Elections budget. The Board of Supervisors would be permitted to amend, prior to adopting the proposed Commission and Department of Elections budget. In accordance with the proposed Charter Amendment, the Mayor would not be permitted to

reduce or reject any Elections expenditures authorized by the Board of Supervisors.

The proposed Charter Amendment would also authorize the Elections Commission to retain independent legal counsel positions to represent the Elections Commission and Elections Department in all legal matters and such counsel positions shall be considered employees of the Department of Elections and serve at the pleasure of the Elections Commission. General Counsel retained pursuant to the proposed Section 13.104.5 must be in good standing with the California State Bar and have at least five years experience in trial practice. Currently, the Department of Elections uses the City Attorney's Office for all legal matters. According to Mr. Jacobs, the proposed Charter Amendment would require the Elections Commission to hire independent outside legal counsel, rather than relying on the services of the City Attorney's Office. Mr. Jacobs advises that the outside counsel could either be individual staff members or a legal firm for the Elections Commission and Department of Elections.

The Elections Commission members could only be removed from office in accordance with Charter Section 15.105, which provides for suspension by the Mayor and removal by the Board of Supervisors for official misconduct.

Comments:

1. The proposed Charter Amendment also provides that Elections Commission members and the Director of Elections may not (1) hold any other public office or employment with any City, State or Federal government, (2) participate in or contribute to any candidate campaigns, ballot measures, or (3) employ or be employed by or receive any gifts or other compensation from a person who is employed by or holds office in an organization that makes political endorsements.

2. As noted above, the proposed Charter Amendment would require the Elections Commission to hire independent outside private

legal counsel or in-house legal staff, rather than relying on the services of the City Attorney's Office. The Attachment, provided by the Controller's Office, states that providing legal services by hiring a staff attorney at the Department of Elections instead of the City Attorney's Office would not significantly change the cost of this function. According to Ms. Martie Moore of the City Attorney's Office, the City Attorney's Office is projected to spend approximately 2,266 hours on legal services for the Department of Elections in FY 2000-2001, at an average rate of $140 per hour, which includes overhead, or a total of approximately $317,240.

3. The Attachment, provided by the Controller's Office, estimates that the minimum increased cost of government would be approximately $113,000 per year to provide an Elections Commission Secretary and cover the costs of meetings, public notices and other requirements of the Elections Commission. The Controller's Office notes that the proposed Charter Amendment does not specify whether particular administrative functions, such as budget preparation, would be carried out by the Department of Elections and as such, the costs of the proposed Charter Amendment could increase or decrease.

4. Line 11 of page 1 of the proposed Charter Amendment erroneously refers to Section 13.105, when it should reference Section 13.104, which is the Section being amended under the proposed Charter Amendment. Therefore, the Budget Analyst recommends that the proposed line 11, page 1 be amended to replace 13.105 with 13.104.

Recommendations:

1. Amend the line 11 on page 1 of the proposed Charter Amendment to correct a clerical error by replacing 13.105 with 13.104, in accordance with Comment 4 above.

2. Approval of the proposed Charter Amendment, as amended, is a policy matter for the Board of Supervisors.

Edward Harrington
Controller

Matthew H. Hymel
Chief Assistant Controller

June 19, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010956
Charter Amendment to create an Elections Commission; to establish that the Director of Elections serves at the pleasure of the Elections Commission; to establish a budget process for the Elections Commission and the Department of Elections; and to establish independent legal counsel for the Elections Commission and the Department of Elections

Dear Ms. Young,

Should the proposed charter amendment be approved by the voters, in my opinion, the minimum increased cost of government would be approximately $113,000 per year to provide an Elections Commission secretary and cover the cost of meetings, public notices, and other requirements of a Commission.

The amendment specifies that the Elections Commission shall hire its own General Counsel. Currently, the City Attorney's Office provides legal services for the Department of Elections. Providing these services instead through hiring a staff attorney at the Department of Elections would not significantly change the cost of this function.

The proposed amendment does not specify whether particular administrative functions, such as budget preparation, would be carried out by the Department of Elections. To the extent that the way in which these functions are provided is changed, the cost of the proposed amendment could increase or decrease.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 6 - File 01-0597

Note: This if the fifth draft of File 01-0597, which was continued from the June 29, 2001 Special Rules Committee meeting.

Proposed Ballot Measure: Charter Amendment repealing Sections 4.112, 16.103, and A8.508; amending sections 9.107, 13.101, and A8.500; and adding new Sections 4.134, 4.135, 4.136, 4.137, 4.138, and 4.139 to eliminate the Public Utilities Commission; to establish a new Power and Water Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission and be responsible for (a) the generation, sale, and transmission of electricity, steam, and other energy, and (b) proposing ordinances setting energy and water efficiency goals and standards which may become effective without action by the Board of Supervisors; and to remove authority for the transfer of surplus Hetch Hetchy funds to the City's General Fund.

Draft: Fifth Draft

Sections Affected: Sections 4.112, 9.107, 13.101, 16.103, A8.500, and A8.508.

Description: The proposed Charter Amendment, if approved by the voters, would (a) abolish the Public Utilities Commission (PUC), (b) establish a Power and Water Authority in its place, and (c) remove authority for the transfer of surplus Hetch Hetchy funds to the General Fund.

Under this proposed Charter Amendment, effective March 1, 2002, the new Power and Water Authority would assume all of the PUC's responsibilities, property, and assets. The PUC would be abolished. A new Power and Water Authority would be established and would be responsible for the construction, management, supervision, maintenance, extension, operation, use, and control of all water, water pollution control, and energy supplies and utilities for the City, wherever located. The new Power and Water Authority would:

- Report on the options for acquisition and construction of public utilities for (a) the generation, sale, and transmission of energy, (b) the collection, storage, and

conservation of water, and (c) the treatment and recycling of waste water. Such a report, a related public hearing, and issuance of recommendations would occur within 150 days of the first Board of Directors meeting.

- Construct, acquire, and operate energy, water, and water pollution control facilities.
- Acquire energy and water in bulk.
- Provide energy and water from any sources the Power and Water Authority deems appropriate.
- Issue revenue bonds or other forms of debt.
- Execute contracts with other public entities responsible for energy, water, and water pollution control facilities.
- Prepare an annual energy and water efficiency plan for the City, and energy and water efficiency ordinances.

If the San Francisco voters approve both the proposed Power and Water Authority and a municipal utility district, the Power and Water Authority would not be authorized to commence a feasibility study of the options for acquisition and construction of public utilities for the generation, sale, and transmission of electricity, natural gas, steam or other energy, unless (a) a court orders that the municipal utility district is unable to provide utility service, (b) the municipal utility district fails to obtain necessary local or state approval, or (c) the municipal utility district does not commence operation by January 1, 2003.

The Power and Water Authority would be governed by a board of seven directors elected by district, each one elected for a four year term by one of the seven districts established for the Power and Water Authority Board of Directors. Vacancies would be filled by the Board of Supervisors.

The Board of Directors would set the level of compensation for members of the Board of Directors. The level of compensation would be determined by an independent survey of comparable public utilities systems in the United States.

While the Power and Water Authority Board of Directors would have the power of inquiry into any matter within its jurisdiction, it could only deal with administrative matters through the General Manager, or his or her designee.

The General Manager would be appointed by, and would serve at the pleasure of, the Power and Water Authority Board of Directors. As a department head, the General Manager would be responsible for the administration and management of the Power and Water Authority and would appoint all subordinate personnel, including five deputies if funding permits. The Power and Water Authority Board of Directors would also appoint an Executive Secretary.

Employees under the jurisdiction of the Public Utilities Commission would be transferred to the Power and Water Authority with the same level of pay, benefits, seniority and other employee protections. In addition, employees of any energy generation or distribution facility acquired by the Power and Water Authority would become Civil Service employees, and would be assigned to the applicable City employee organization bargaining unit. Employees of the acquired facility who become City employees would retain vested rights and benefits of the acquired facility's pension plan. Additionally, employees of the acquired facility who become City employees would become members of the San Francisco Employee Retirement System (SFERS), in accordance with Charter Section A8.587, and would be allowed to transfer service credits to SFERS, in accordance with Charter Section A8.500.[1]

By March 1 of each year, after at least one public hearing, the Power and Water Authority would adopt a budget for the next fiscal year, along with any rate increases or decreases necessary to fund that budget. Implementation of proposed changes to rates, fees, or charges would be subject to public hearings, but would not be subject to Board of Supervisors approval. The Power and Water

[1] Under the proposed Charter Amendment, the pension liability of the acquired facility would be considered in the purchase price of the facility. Additionally, employees would not be allowed to receive pension service credit under both the acquired facility's pension plan and SFERS.

Authority would submit its proposed budget to the Controller, for certification that the revenues contained in the budget are sufficient to meet expenditures. If the Power and Water Authority requests additional funding support from the General Fund, then its augmentation request would be reviewed through the standard budget process and could be approved, modified, or rejected by the Board of Supervisors.

Revenues from Power and Water Authority operations would be used exclusively for Power and Water Authority purposes.

Comments:

1. The proposed Charter Amendment would abolish the PUC, replacing it with a new Power and Water Authority. All PUC property and financial assets would transfer to the new organization.

2. According to Mr. Kingsley Okereke of the PUC, the one-time costs to abolish the PUC are estimated to total $800,000, as follows:

- $100,000 for a report, to be prepared by an asset valuation consultant or a chartered public accounting firm, on (a) the valuation of water, power, clean water, lands and other capital assets, (b) analysis of asset and financial condition, and (c) preparation of balance sheets, cash flow reports and other declarations preparatory to the PUC transferring assets to the Power and Water Authority.
- $150,000 for a report, to be prepared by a management consultant or a chartered public accounting firm, on the annual PUC operating budget, management and staff positions, inventory of office furnishings, equipment and supplies, office, parking and equipment rental agreements, and other administrative assets and resources, preparatory to transferring staff, offices, equipment, supplies and other administrative assets from the PUC to the Power and Water Authority.
- $100,000 for a report, to be prepared by a legal consultant or a chartered public accounting firm, on the contracts and agreements held under the City

Attorney and others on behalf of the PUC for legal defense, expert testimony, legislative analysis, lobbying and other such services, preparatory to transfer from the PUC of these contracts and agreements to the Power and Water Authority.

- $200,000 for the City Attorney to (a) review legislation, PUC contracts and other agreements with implications for existing water rights, revenues from water and power sales, asset valuation and other potential liabilities, (b) review contracts and other agreements to determine if they can be assigned to the new Power and Water Authority, and (c) prepare legal documents required to transfer capital assets, lands, contracts, agreements, MOUs, staff, equipment and other administrative assets from the PUC to the new Power and Water Authority.
- $250,000 for the costs associated with moving into, furnishing, and equipping the new Power and Water Authority offices, including offices for seven Directors, a General Manager, five Deputy General Managers, and five executive staff, as well as conference space.

In addition, Mr. Okereke states that there would be $750,000 in additional rental and operating costs each year associated with the above new, larger offices.

3. Under the proposed Charter Amendment, compensation for the Power and Water Authority Board of Directors could not exceed the amount of compensation for directors of comparable United States public utility systems, as determined by an independent survey. The proposed Charter Amendment does not specify who would conduct such a survey. Mr. Okereke estimates that compensation for the new seven person Board of Directors would cost $8,400 on the basis that each of the seven Directors would receive $100 per month in line with other City Commissioners and Boards of Directors. Therefore, the annual increase over the existing total of $6,000 in compensation paid to the five Members of the Public Utilities Commission per year would be $2,400.

4. According to Mr. Carlos Jacobo of the PUC, compensation for the General Manager, as a department head, should be increased to market levels to attract the

best candidates and provide for San Francisco's generally higher cost of living. In FY 2000-01, the PUC General Manager position's annual salary range is between $143,078 and $193,830. Mr. Jacobo believes that consideration should be given to increasing the annual salary to between $180,000 (an approximately 25.8 percent increase at the first step) and $240,000 (an approximately 23.8 percent increase at fifth step), resulting in an annual increase of $36,922 at the first step, and $46,170 at the fifth step. In addition, Mr. Okereke proposes that the new General Manager's compensation package should include relocation costs, if necessary, of $50,000 and a low-interest housing loan at 3 percent for a mortgage of up to $800,000. Mr. Jacobo states that a salary of between $180,000 and $240,000 would be competitive with similar executive positions at Californian utilities, would support recruitment of an industry leader, and would allow negotiation within a broad salary range.

5. Mr. Jacobo states that the Executive Secretary of the Power and Water Authority should earn an annual salary of between $90,000 and $110,000 given that position's increased responsibilities, including management of additional staff, increased number of meetings to arrange, preparation of legislation, scheduling Directors' office hours, and other duties associated with publicly elected officials. In FY 2000-01, the Classification 1554 Administrative Secretary of the PUC earns between $76,596 and $93,106. Therefore the proposed salary of $90,000 to $110,000 represents an approximately 17.5 percent at the first step and 18.1 percent increase at the fifth step, or an annual increased cost ranging from $13,404 to $16,894.

6. According to Mr. Okereke, the Executive Secretary would require three additional staff to support the increased workload generated by the Board of Directors, which includes five elected members who would have constituency work. According to Mr. Okereke, the new positions should include a Classification 1452 Executive Secretary II at $44,902 to $54,574 per year, a Classification 1446 Secretary II at $39,728 to $48,178 per year, and one Classification 1406 Senior Clerk at $32,864

to $39,910 per year. The Executive Secretary and his or her support staff represent an additional first year total cost of between $130,898 and $159,556, plus mandatory fringe benefits.

7. The proposed Charter Amendment allows for up to five new Deputy General Managers. Mr. Okereke states that the PUC's FY 2001-2002 budget has four authorized deputies. According to Mr. Jacobo, one additional deputy would cost between $105,742 and $131,340, plus benefits per year (based on Classification 5166 Assistant General Manager, PUC, which Mr. Jacobo states is a directly comparable classification). One additional secretary would be needed to support five deputies, since the PUC currently funds only three secretarial positions, according to Mr. Jacobo. An additional Classification 1452 Executive Secretary II would cost between $44,902 and $54,574 per year, plus mandatory fringe benefits.

8. The Budget Analyst notes that all of the above new positions would be subject to Department of Human Resources classification approval, and any additional funding needed for the abolishment of the PUC and the establishment of the new Power and Water Authority would require Board of Supervisors approval.

9. The increased costs of the proposed new Power and Water Authority are shown in the following table:

	FY 2001-02 Increased Costs	Ongoing Increased Costs
One-time Costs:		
Reports and City Attorney review	$550,000	
Moving costs, furnishings, and equipment	250,000	
Subtotal:	800,000	
Annual Increased Costs:		
Rental and operating costs		$750,000
Board of Director fees	2,400	2,400
Salaries, including mandatory fringe benefits (maximum)	471,976	471,976
Subtotal:	474,376	1,224,376
Total:	**$1,274,376**	**$1,224,376**

10. The Budget Analyst has been advised by Ms. Theresa Mueller of the City Attorney's Office that no work has been done thus far on costing out future energy, water, and water pollution control provision alternatives.

11. According to Mr. Dorji Roberts of the City Attorney's Office, the Power and Water Authority's budget would not be subject to Board of Supervisors approval, with the exception of requests for additional funding support from the General Fund.

12. The Controller's Office will provide a fiscal impact report on the proposed Charter Amendment directly to the Rules Committee.

The Budget Analyst notes that eliminating the transfer of surplus Hetch Hetchy funds to the General Fund would cost the City between $29,850,000 and $45,703,000 per year, based on the last five years of transfers from Hetch Hetchy to the General Fund, as shown in the following table.

Year	Hetch Hetchy Transfer to General Fund[2]
FY 1996-97	$37,703,000
FY 1997-98	$45,703,000
FY 1998-99	$42,703,000
FY 1999-2000	$39,850,000
FY 2000-2001	$29,850,000

13. The Department of Elections previously reported that if a special election for the Power and Water Authority Board of Directors is consolidated with the general municipal election to be held on November 6, 2001, the cost of the special election would depend on the number of ballot pages which need to be printed. According to the Department of Elections, adding the Power and Water Authority Board of Directors candidate names to the ballot would not incur significant additional costs if those additional names did not affect the number of ballot pages printed. However, if the additional candidate names increase the number of ballot pages, then the cost increase would be significant, according to the Department of Elections, because nearly 500,000 additional ballot pages would have to be printed. The estimated additional cost of printing would be approximately $300,000, as previously reported by the Department of Elections. The Department of Elections further advised that the increase in ballot pages would also tend to increase ballot handling costs, which would be reflected in (a) temporary and overtime staff costs in amounts which cannot be accurately estimated, and (b) the mailing costs related to the additional absentee ballots.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

[2] The annual transfer of surplus Hetch Hetchy funds has fluctuated with (a) the water levels, being lower in drought years and higher in normal water years, and (b) the PUC's annual capital expenditure needs.

Item 7 - File 01-0957

Note: File 01-0957 is an Amendment of the Whole of the Second Draft, which was continued from the June 29, 2001 Special Rules Committee Meeting.

Proposed Ballot Measure: Charter Amendment repealing Sections 4.112, 16.103, and A8.508; amending sections 9.107, 13.101, and A8.500; and adding a new Chapter 8B, to eliminate the Public Utilities Commission; to form a Power and Water Agency which shall succeed to all powers and responsibilities of the Public Utilities Commission and be responsible for (a) the generation, sale, and transmission of electricity, steam, and other energy, and (b) proposing ordinances setting energy and water efficiency goals and standards to the Board of Supervisors; and to prohibit the transfer of surplus Hetch Hetchy funds to the City's General Fund until the Agency has adopted a 10-year capital plan, a 5-year business plan, and a bi-annual budget subject to review by the Controller.

Draft: Second Draft, Amendment of the Whole

Sections Affected: Sections 4.112, 9.107, 13.101, 16.103, A8.508 and A8.500.

Description: The proposed Charter Amendment, if approved by the voters, would (a) abolish the Public Utilities Commission (PUC), (b) establish a Power and Water Agency in its place, and (c) prohibit the transfer of surplus utility funds to the General Fund.

Under this proposed Charter Amendment, effective May 1, 2002, the new Power and Water Agency would assume all of the PUC's responsibilities, property, and assets. The PUC would be abolished. A new Power and Water Agency would be established and would be responsible for the construction, management, supervision, maintenance, extension, operation, use, and control of all water, water pollution control, and energy supplies and utilities for the City, wherever located.

Under the proposed Charter Amendment, the goals of the new Power and Water Agency would include providing water, water pollution control and electricity service at

reasonable and stable rates, optimizing the system's ability to withstand natural disasters, protecting and managing Agency land to provide utility services, and protecting source watershed for beneficial uses. Additionally, the proposed Charter Amendment provides that the Agency would develop and implement programs to:

(a) integrate water, power, water pollution control and natural resources management into Agency operations,
(b) conserve energy and reduce power consumption by 100 Megawatts,
(c) create one hundred Megawatts of renewable wind, solar, fuel cell and other alternative energy generation facilities within 10 years,
(d) conserve water,
(e) reduce the incidence of street flooding from storm water overflow or other causes,
(f) contain sewage treatment facility odor control within 3 years,
(g) generate energy and system reliability in order to close out-dated Potrero Hill and Hunters Point power plants, and
(h) preserve the beneficial uses of the Bay through pollution prevention, toxicity reduction and source control programs.

The new Power and Water Agency would be governed by a seven-member Board of Directors, each one elected for a four year term by one of seven districts established for the election of Directors of the Power and Water Agency. Vacancies would be filled by Board of Directors appointees. Such appointees would not be eligible to run for a seat on the Board of Directors at the first election following their appointments. Elected officials of the City and County of San Francisco, except for members of a municipal utility district, would not be eligible to serve on the Agency Board of Directors.

The Civil Service Commission would determine the annual compensation to be paid to members of the Agency Board of Directors, subject to an annual maximum of $2,500 per member. Determination of compensation

would be based on an independent survey of directors of other publicly held utility corporations in the Bay Area.

If the San Francisco voters approved both a Power and Wager Agency and a municipal utility district, the Agency would work with the municipal utility district to determine which agency could better provide electric utility services to San Francisco. If agreement is not reached, the Agency would not be authorized to provide electric utility services in competition with the municipal utility district. However, the Agency would be authorized to provide service if the municipal utility district (a) is restrained from providing electric utility service by Court order, (b) does not receive necessary state or local approval to provide electric utility service, or (c) does not fulfill its statutory requirement to become an electric utility by January 1, 2003.

The new Power and Water Agency's Board of Directors would be responsible for:

- Appointing a President of the Board of Directors and officers required to conduct the Board's business.
- Adopting bylaws governing its affairs.
- Appointing a General Manager. As a department head, the General Manager would be responsible for the administration and management of the Power and Water Agency and would appoint subordinate personnel.
- Appointing general counsel, and an accounting firm to assist the Board of Directors with financial and economic matters.[1]
- Executing contracts and leases, including contracts of two years or more for the provision of water, energy, and other utility services outside of the City. Such authority includes entering into joint power agreements with other local jurisdictions to provide electric utility service.
- Recommending the exercise of eminent domain to the Board of Supervisors.

[1] Under the proposed Charter Amendment, the Agency would be authorized to appoint the City Attorney as general counsel and would be authorized to appoint the Budget Analyst to provide budget and other services.

- Adopting and periodically updating goals for each operating division, subject to public hearings, consistent with service provision goals and energy conservation performance measures outlined in the proposed Charter Amendment.[2]
- Issuing revenue bonds or other forms of debt, subject to two-thirds Board of Directors approval and Controller certification.
- Setting water, sewer, electricity, and natural gas service rates, subject to independent accounting firm audit. The rate structures could fund implementation of water conservation, odor control, alternative sewage treatment, and/or renewable energy generation projects. If the Power and Water Agency enters retail energy or natural gas markets, the Power and Water Agency would be required to provide discounts to low-income ratepayers. Discounted water and sewer service rates would also be permitted, subject to independent accounting firm audit. According to the City Attorney's Office, any rate discounts would be subject to State and Federal law. If the Power and Water Agency acquires energy distribution systems or power generation facilities which previously produced tax or franchise revenue to the City, the Power and Water Agency would establish rate surcharges to collect revenue sufficient to compensate the City for the loss of such tax and franchise revenue, subject to Board of Supervisors waiver. The Power and Water Agency would also be required to adopt a ten-year schedule to gradually eliminate water, sewer, and power rate subsidies provided to City departments, subject to Controller certification that the resulting increases would not materially impact City departments' services.
- Imposing water, sewage treatment, and energy impact development fees, and/or connection fees on developers.
- Enacting, by March 1 of each year, (a) a ten-year capital and long-range financial plan, and (b) a five-year business plan which includes a five-year schedule

[2] The proposed conservation performance measures include reduction in power consumption, development of renewable energy generation facilities, increased use of recycled water, reduced street flooding, improved odor control at all sewage treatment facilities, and the closure of outdated Potrero and Hunters Point power plants.

of water, sewer, and power rates sufficient to finance the Power and Water Agency's operations and capital plan.

- Enacting, by July 1 each year following a Controller's review, public hearings, and an independent accounting firm review, a bi-annual budget for the following two fiscal years, and a rate schedule ordinance fixing rates for the provision of water, sewer, and power services. The rates would not be subject to Board of Supervisors approval. This bi-annual budget document would contain information relating to the types and extent of services to be delivered, and performance measures. If the Power and Water Agency requests additional funding support from the General Fund, then its augmentation request would be reviewed through the standard budget process and could be approved, modified, or rejected by the Board of Supervisors.

No Hetch Hetchy funds could be transferred to the General Fund unless the Power and Water Agency adopts a ten-year capital plan, a long-range financial plan, a five-year business plan, and a bi-annual budget, and the Controller issues an opinion regarding the accuracy and reasonableness of the economic assumptions underlying the revenue estimates in such plans. These steps would identify whether or not there were surplus Hetch Hetchy funds which could be transferred to the General Fund. Except for funds transferred to the General Fund under such conditions, Power and Water Agency funds could not be used for purposes other than for achieving the objectives of, and performing the functions of, the Power and Water Agency.

The Power and Water Agency would be required to undertake feasibility studies to determine the costs and benefits of providing public power to the City through acquisition, construction, or community aggregation of power generation and/or distribution facilities. Within one year of the effective date of this proposed Charter Amendment, the Power and Water Agency would be required to implement a public power plan to provide residential and commercial electricity service via generation, distribution, or aggregation in the City.

Within two years of the effective date of this Charter Amendment, the Power and Water Agency would be required to undertake feasibility studies to determine the cost-benefits of acquiring and/or constructing and operating natural gas distribution facilities in the City.

Employees under the jurisdiction of the Public Utilities Commission would be transferred to the Agency with the same level of pay, benefits, seniority and other employee protections. In addition, employees of any energy generation or distribution facility acquired by the Agency would become Civil Service employee, and would be assigned to the applicable City employee organization bargaining unit. Such employees would retain vested rights and benefits of the acquired facility's pension plan. Additionally, employees of the acquired facility who become City employees would become members of the San Francisco Employee Retirement System (SFERS), in accordance with Charter Section A8.587, and, upon Board of Supervisors' approval, would be able to transfer service credits to SFERS, in accordance with Charter Section A8.500.[3]

Comments:

1. The proposed Charter Amendment would abolish the PUC, replacing it with a new Power and Water Agency. All PUC property and financial assets would transfer to the new organization. Under the proposed Charter Amendment, all civil service employees and all exempt employees under the jurisdiction of the PUC would be transferred to the Power and Water Agency without any loss in salaries and other employment conditions. Furthermore, the employees of privately-owned utilities would be given civil service status consistent with their job functions and qualifications.

2. According to Mr. Kingsley Okereke of the PUC, the one-time costs to abolish the PUC are estimated to total $750,000, as follows:

[3] Under the proposed Charter Amendment, the pension liability of the acquired facility would be considered in the purchase price of the facility. Additionally, employees would not be allowed to receive pension service credit under both the acquired facility's pension plan and SFERS.

- $100,000 for a report, to be prepared by an asset valuation consultant or a chartered public accounting firm, on (a) the valuation of water, power, clean water, land, and other capital assets, (b) an analysis of asset and financial condition, and (c) preparation of balance sheets, cash flow reports and other declarations preparatory to the PUC transferring assets to the new Power and Water Agency.
- $150,000 for a report, to be prepared by a management consultant or a chartered public accounting firm, on the annual PUC operating budget, management and staff positions, inventory of office furnishings, equipment and supplies, office, parking and equipment rental agreements, and other administrative assets and resources, preparatory to transferring staff, offices, equipment, supplies and other administrative assets from the PUC to the new Power and Water Agency.
- $100,000 for a report, to be prepared by a legal consultant or a chartered public accounting firm, on the contracts and agreements held under the City Attorney and others on behalf of the PUC for legal defense, expert testimony, legislative analysis, lobbying and other such services, preparatory to transfer of these contracts and agreements from the PUC to the Power and Water Agency.
- $200,000 for the City Attorney to (a) review legislation, PUC contracts and other agreements with implications for existing water rights, revenues from water and power sales, asset valuation and other potential liabilities, (b) review contracts and other agreements to determine if they can be assigned to the new Power and Water Agency, and (c) prepare legal documents required to transfer capital assets, lands, contracts, agreements, MOUs, staff, equipment and other administrative assets, from the PUC to the new Power and Water Agency.
- $200,000 for the costs associated with moving into, furnishing, and equipping new Power and Water Agency offices.[4]

[4] Although the proposed Charter Amendment is silent on the number of Deputy General Managers, the above cost estimate assumes that there would be five, plus an additional Classification 1452 Executive Secretary II, according to Mr. Carlos Jacobo of the PUC. An additional Deputy General Manager would cost between $105,742 and $131,340, plus mandatory fringe benefits, while an

In addition, Mr. Carlos Jacobo of the PUC states that there would be $700,000 in additional rental and operating costs each year associated with the above new, larger offices.

3. Mr. Okereke estimates that compensation for the new seven person Board of Directors would cost $8,400 on the basis that each of the seven Directors would receive $100 per month in line with other City Commissioners and Boards of Directors. Therefore, the annual increase over the existing total of $6,000 in compensation paid to the five Members of the Public Utilities Commission per year would be $2,400.

4. According to Mr. Jacobo, compensation for the General Manager, as a department head, should be increased to market levels to attract the best candidates and provide for San Francisco's generally higher cost of living. In FY 2000-01, the PUC General Manager position's annual salary range is between $143,078 and $193,830. Mr. Jacobo believes that consideration should be given to increasing the annual salary to between $180,000 (an approximately 25.8 percent increase at the first step) and $240,000 (an approximately 23.8 percent increase at the fifth step), resulting in an increase of $36,922 at the first step, and $46,170 at the fifth step. In addition, Mr. Okereke proposes that the new General Manager's compensation package should include relocation costs, if necessary, of $50,000 and a low-interest housing loan of up to 3 percent for a mortgage up to $800,000. Mr. Jacobo states that a salary of between $180,000 and $240,000 would be competitive with similar executive positions at Californian utilities, would support recruitment of an industry leader, and would allow negotiation within a broad salary range.

5. Mr. Jacobo states that the Executive Secretary of the Power and Water Agency should earn an annual salary of between $90,000 and $110,000 given that position's increased responsibilities, including management of

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additional Executive Secretary II would cost between $44,902 and $54,574, plus mandatory fringe benefits.

additional staff, increased number of meetings to arrange, preparation of legislation, scheduling Directors' office hours, and other duties associated with publicly elected officials. In FY 2000-01, the Classification 1554 Administrative Secretary of the PUC earns between $76,596 and $93,106. Therefore the proposed salary of $90,000 to $110,000 represents an approximately 17.5 percent at the first step and 18.1 percent increase at the fifth step, or an annual increased cost ranging from $13,404 to $16,894.

6. According to Mr. Okereke, the Executive Secretary would require three additional staff to support the increased workload generated by the Board of Directors who would have constituency work. According to Mr. Okereke, the new positions should include a Classification 1452 Executive Secretary II at $44,902 to $54,574 per year, a Classification 1446 Secretary II at $39,728 to $48,178 per year, and one Classification 1406 Senior Clerk at $32,864 to $39,910 per year. The Executive Secretary and his or her support staff represent an additional first year total cost of between $130,898 and $159,556, plus mandatory fringe benefits.

7. The Budget Analyst notes that all of the above new positions would be subject to Department of Human Resources classification approval, and any additional funding needed for the abolishment of the PUC and the establishment of the new Power and Water Agency would require Board of Supervisors approval.

8. The increased costs of the proposed new Power and Water Agency are shown in the following table:

	FY 2001-02 Increased Costs	Ongoing Increased Costs
One-time Costs:		
Reports and City Attorney review	$550,000	
Moving costs, furnishings, and equipment	200,000	
Subtotal:	750,000	
Annual Increased Costs:		
Rental and operating costs		$700,000
Board of Director fees	2,400	2,400
Salaries, including mandatory fringe benefits (maximum)	471,976	471,976
Subtotal:	474,376	1,174,376
Total:	**$1,224,376**	**$1,174,376**

9. The Budget Analyst has been advised by Ms. Theresa Mueller of the City Attorney's Office that no work has been done thus far on costing out future energy, water, and water pollution control provision alternatives.

10. According to Mr. Dorji Roberts of the City Attorney's Office, the Power and Water Agency's budget would not be subject to Board of Supervisors approval, with the exception of requests for additional funding support from the General Fund.

11. The Controller's Office will provide a fiscal impact report on the proposed Charter Amendment directly to the Rules Committee.

The Budget Analyst notes that eliminating the transfer of surplus Hetch Hetchy funds to the General Fund would cost the City between $29,850,000 and $45,703,000 per year, based on the last five years of transfers from Hetch Hetchy to the General Fund, as shown in the following table:

Year	Hetch Hetchy Transfer to General Fund[5]
FY 1996-97	$37,703,000
FY 1997-98	$45,703,000
FY 1998-99	$42,703,000
FY 1999-2000	$39,850,000
FY 2000-2001	$29,850,000

12. The Department of Elections previously report that if a special election for the Power and Water Agency Board of Directors is consolidated with the statewide primary election to be held in March of 2002, the cost of the special election would depend on the number of ballot pages which need to be printed. According to the Department of Elections, adding the Power and Water Agency Board of Directors candidate names to the ballot would not incur significant additional costs if those additional names did not affect the number of ballot pages printed. However, if the additional candidate names increase the number of ballot pages, then the cost increase would be significant, according to the Department of Elections, because nearly 500,000 additional ballot pages would have to be printed. The estimated additional cost of printing would be approximately $300,000, as previously reported by the Department of Elections. The Department of Elections further advised that the increase in ballot pages would also tend to increase ballot handling costs, which would be reflected in (a) temporary and overtime staff costs in amounts which cannot be accurately estimated, and (b) the mailing costs related to the additional absentee ballots.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

[5] The annual transfer of surplus Hetch Hetchy funds has fluctuated with (a) the water levels, being lower in drought years and higher in normal water years, and (b) the PUC's annual capital expenditure needs.

Item 8 – File 01-0968

Note: This item was continued by the Rules Committee at its meeting of June 29, 2001.

Proposed Ballot Measure: Charter amendment amending Section 9.100 (Budget Process Ordinances) to require the Mayor, beginning in 2003 (for FY 2003-2004) to submit the proposed budget to the Board of Supervisors not later than February 28 of each year.

Draft: First

Sections Affected: Section 9.100

Description: Currently, Charter Section 9.100 defines the City's fiscal year as beginning on July 1 of each year and ending on June 30 of the following year. Section 9.100 also requires that the Board of Supervisors adopt an Interim Appropriation Ordinance not later than June 30 of each year. The Board of Supervisors is also required, under Charter Section 9.100, to adopt a final budget and Annual Appropriation Ordinance not earlier than July 15 and not later than August 1 of each year.

The Charter does not specify the date by which the Mayor's proposed budget must be submitted to the Board of Supervisors. Under Administrative Code Section 3.3 ("Budget Timetable"), the following requirement is prescribed:

> "The Mayor shall, not later than the first working day of June of each year, transmit to the Board of Supervisors consolidated budget estimates, proposed budget, detailed estimate of revenues, and estimates of amounts required to meet bond interest and fixed charges, together with his or her budget message and a draft of the annual appropriation ordinance, prepared by the Controller."

This proposed Charter Amendment would add language to Charter Section 9.100 stating that "*Beginning in 2003 (*for the FY 2003-2004 proposed budget*), the Mayor shall submit the annual proposed budget to the Board of Supervisors on or before February 28."*

Effect on the Cost of Government

The Controller's statement on the effect on the cost of government of this proposed Charter amend is attached to this report. The attachment explains that the Controller cannot determine the impact on the cost of government at this time. The Controller further notes that, if approved, the proposed Charter Amendment would give the Board of Supervisors an additional three months to review the Mayor's proposed budget, and that there could either be costs or savings depending on how the Board of Supervisors carries out the expanded budget process and the decisions that result.

The Budget Analyst agrees with the Controller's statement. Approval of the proposed Charter Amendment would not, in and of itself, result in increased costs to the City. If the extended time period for Board of Supervisors review of the Mayor's proposed budget resulted in a policy decision to devote additional resources to such a review, increased resources could be provided by the Budget Analyst without increased expenditures through a redeployment of assignments. Alternatively, any additional resources would be subject to appropriation approval by the Board of Supervisors and the Mayor.

Comments:

Presently, under Charter Section 9.100 and Administrative Code Section 3.3, the Board of Supervisors has approximately one month to review the budget and to conduct budget hearings before the Finance Committee in order that the Finance Committee's recommended budget and Annual Appropriation Ordinance is transmitted to the full Board for adoption prior to the absolute deadline of not later than August 1 of each year. By receiving the Mayor's proposed budget no later than February 28 of each year, the Board of Supervisors would have an additional three months to review the budget and conduct budget hearings.

However, it should be noted that a proposed budget, submitted by the Mayor by February 28 of each year could be subject to substantial revision, by both the Mayor and the Board of Supervisors, based upon new or updated information, prior to the August 1 deadline for final approval by the Board of Supervisors. Budget information that is

likely to change during this period would include revenue estimates, increased salary and benefits costs resulting from Memoranda of Understanding approved after February 28 of each year, and changes to the costs of non-labor expenditures such as the recent volatility in utility prices and increased expenditures for non-profit contractors.

Comment: The Budget Analyst believes that additional time expended on reviewing the budget should result in a more in depth analysis of the budget. However, the Budget Analyst believes that the precise length of time to be devoted to budget review is a policy decision for the Board of Supervisors.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLLER

Edward Harrington
Controller

Matthew H. Hymel
Chief Assistant Controller

June 28, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010968
Proposed Charter Amendment to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than February 28 of each year.

Dear Ms. Young,

Should the proposed charter amendment be approved by the voters, in my opinion, the impact on the cost of government cannot be determined at this time. The amendment specifies that the Board of Supervisors will have three additional months to review the City's annual budget. Depending on how the Board of Supervisors chooses to carry out this expanded budget process, and on the decisions that would result, there could be either costs or savings to the City under this amendment.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 9 - File 01-0983

Note: This item was continued by the Rules Committee at its meeting of June 29, 2001.

Proposed Ballot Measure: Charter Amendment amending Section 9.107 to provide revenue bond authorization to finance or refinance the acquisition, construction, installation, equipping, improvement or rehabilitation of equipment or facilities for renewable energy and energy conservation.

Draft: First

Sections Affected: Section 9.107

Description: The proposed Charter Amendment, if approved by the voters, would allow the Board of Supervisors to approve the issuance of revenue bonds to fund renewable energy and energy conservation equipment and facilities. This would allow the City to expand its current energy infrastructure and participate in energy conservation and acquisition programs.

Comments:

1. The proposed Charter Amendment would permit revenue bond financing of renewable energy and energy conservation equipment and facilities to be approved by the Board of Supervisors. Therefore, upon passage of this Charter Amendment, future revenue bonds would be issued without obtaining voter approval. The proposed Charter Amendment does not limit the size of revenue bonds for renewable energy and energy conservation equipment and facilities.

2. The repayment of revenue bonds is funded by the income and receipts generated from the operation of the project or program being financed, or from the enterprise of which the project or program is a part. Examples include water charges in the case of water revenue bonds, lease payments in the case of lease revenue bonds, or loan repayments in the case of mortgage revenue bonds. In terms of the income for revenue bonds for renewable energy and energy conservation equipment and facilities, an example of the source of funds for repaying such revenue bonds could be the net income derived from selling the electrical energy generated by solar energy facilities and equipment.

3. The Controller's Office will provide a fiscal impact report on the proposed Charter Amendment directly to the Rules Committee.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Stephen Kawa

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Friday, July 06, 2001 **9:00 AM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 9:05 am.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

There were no items indicated.

REGULAR AGENDA

011203 **[Live/Work Task Force]**

Supervisor Ammiano

Resolution extending the deadline for the Live/Work Task Force until July 22, 2001, authorizing the Task Force to submit its report to the Board of Supervisors on July 22, 2001 and ratifying all meetings of the votes taken by the Task Force between July 1, 2001 and the effective date of this resolution.

6/25/01, RECEIVED AND ASSIGNED to Rules Committee.

7/2/01, SUBSTITUTED. Supervisor Ammiano submitted a substitute resolution bearing new title.

7/2/01, ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Marc Salomon.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010970 **[Land Fill in San Francisco Bay]**

Supervisors Peskin, Ammiano, Hall, Daly, Sandoval, Leno, Maxwell

Charter amendment(Third Draft) to adopt a new Section 16.122, to allow the qualified electors of the City and County of San Francisco the right to vote on any Project of said city and county that would place 100 acres or more of fill in San Francisco Bay.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Aaron Peskin; John Artner; David Lewis, Save the Bay; Timothy Treacy; Marc Salomon; Richard Zimmerman; Michele Moss.

6/22/01, AMENDED. Amended on Page 2, section "a", line 2, to replace the words "of fill to" with "of fill in".
Page 3, line 3, replace the words "90 days" with "150 days".
Page 3, section "b" line 2 to, replace the words "of fill to" with "of fill in".

6/22/01, CONTINUED. Continued to June 29, 2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Aaron Peskin; Ted Lakey, Deputy City Attorney; John Martin, Airport Director; Supervisor Jake McGoldrick; David Lewis; Dorley Rolph; Frederick Hobson; Oscar Braun; Zeke Grader, Pacific Coast Federation of Fisherman Association; Nathan Naman; Stan Warren; Tom Jordan; Mike Hardeman; Marjorie Mandell; Sean Randolph; Sarah Owsowitz-Klein, Deputy City Attorney; Doug Comstock; Armidine Jaba; Marc Salomon; Arthur Chang.
Amendment of the whole bearing a new title.

6/29/01, AMENDED. Amended on page 2, section "c" line 9, replace the words "150 days" with "one hundred and twenty (120) days".

6/29/01, CONTINUED. Continued to July 6, 2001.

Heard in Committee. Speakers: Supervisor Aaron Peskin; Sarah Owsowitz-Klein, Deputy City Attorney; Peter Nardosa, Deputy Director, San Francisco Airport; Arthur Feinstein; Amy Quirk; Lena Brook, Clean Water Action.

RECOMMENDED "DO SUBMIT" by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010540 **[Vacancy in an Elective Office]**

Supervisors McGoldrick, Ammiano, Gonzalez

Charter amendment (Third Draft) to repeal Sections 2.102 and 6.107, to amend Sections 3.102, 8.100 and 8.101, and to add Section 13.101.5 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

3/26/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/25/2001.

5/3/01, CONTINUED. Heard in Committee. Speakers: Supervisor McGoldrick; Ted Lakey, Deputy City Attorney; Caleb Kleppaer; American Kepner; Janet Carpinelli; Gilbert Criswell; Michael Nolty.

Continued to May 17, 2001.

5/17/01, CONTINUED TO CALL OF THE CHAIR. Supervisor McGoldrick requested that this item be continued to the Call of the Chair.

6/22/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Debra Newman, Budget Analyst's Office; Supervisor Jake McGoldrick; Steven Hill; Chris Bowman; Marc Salomon; John Bardis; Bill Barnes, aide to Supervisor Chris Daly.

Supervisor Gonzalez requested this item be considered first on the agenda.

6/22/01, CONTINUED. Continued to June 29, 2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold, Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.
Amendment of the whole bearing the same title.

6/29/01, CONTINUED. Continued to July 6, 2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Mark South; Chris Bowman; Supervisor Jake McGoldrick; Maxwell Peltz, Deputy City Attorney.
Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Charter amendment (Fourth Draft) to repeal Sections 2.102 and 6.107, to amend Sections 3.102, 8.100 and 8.101, and to add Section 13.101.5 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

Continued to July 11, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010967 **[Livable Streets Fund]**

Supervisors Leno, Maxwell, Newsom

Charter amendment (Second Draft) to add Section 16.121, to create a Livable Streets Fund.

(Fiscal impact.)

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Mark Leno; Peg Stevenson, Controller's Office; Buck Delventhal, Deputy City Attorney.
Amendment of the whole bearing the same title.

6/29/01, CONTINUED. Continued to July 6, 2001.

Heard in Committee. Speakers: Supervisor Mark Leno; Tom Owen, Deputy City Attorney; Buck Delventhal; Jose Luis Moscovich, Interim Executive Director, Transportation Authority; Peg Stevenson, Controller's Office; Peter Tanin, Parking and Traffic; Bob Planthold; male; Leah Shahum; Roger Bazeley; Garnet Huber; Gene Lynch; Alexis Harte; Doug Wildman; Ms. Blair; Marc Salomon; Anthony Travis; Janet Black; Cathleen Sneath; Steve Kawa, Mayor's Office.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010956 **[Charter Amendment regarding Elections, Ethics, Redistricting and Outside Counsel]**
Supervisors Newsom, Daly, Gonzalez, Hall, Ammiano

Charter amendment adding Section 13.103.5 and 13.104.5 and amending Sections 6.102, 13.104, 13.110, 15.100, 15.101, 15.102, 15.105, C3.699-13, C3.699-14 and C3.699-15 to create an Elections Commission; to establish procedures for the Elections Commission to appoint the Director of Elections; to institute conflict-of-interest prohibitions applicable to members and employees of the Elections Commission and Department of Elections; to establish procedures for the Elections Commission and the Department of Elections to retain outside legal counsel when the City Attorney has a conflict of interest relating to his or her candidacy; to replace the Controller with the Assessor as an appointing authority for the Ethics Commission; to lengthen the term of Ethics Commissioners from four to six years; to strengthen conflict-of-interest prohibitions and establish revolving-door prohibitions applicable to members and employees of the Ethics Commission; to strengthen civil service protection of Ethics Commission employees; to amend the Ethics Commission's investigative process; to provide that the appointing authority, rather than the Mayor, may initiate removal of Elections and Ethics Commissioners; to establish a procedure whereby elected officers, Department heads, Boards and Commissions may retain outside counsel if the City Attorney has an ethical or financial conflict of interest regarding a particular matter; to prohibit the City Attorney from participating in campaigns other than his or her own; to provide that the Elections Commission, rather than Director of Elections, shall appoint three members to the Elections Task Force; to require the use of adjusted census figures for the purposes of analyzing population requirements for redistricting Supervisorial districts; and to set deadlines for creation of the Elections Task Force and for completion of redistricting.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED. Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.
Amendment of the whole bearing a new title.

6/29/01, CONTINUED. Continued to July 6, 2001.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Peg Stevenson, Controller's Office; Maxwell Peltz, Deputy City Attorney; Gina Vida, Ethics Commission; Chris Bowman; John Bardis; Bob Planthold; Marc Salomon.
Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Third Draft) adding Section 13.103.5 and 13.104.5 and amending Sections 6.102, 13.104, 13.110, 15.100, 15.101, 15.102, 15.105, C3.699-13, C3.699-14 and C3.699-15 to create an Elections Commission; to establish employment provisions for Department of Election employees; to establish procedures for the hiring of outside legal counsel for the Elections Commission and the Department of Elections when the City Attorney has a conflict of interest; to provide a removal process for members of the Elections Commission; to strengthen the conflicts of interest provisions for members and employees of the Ethics Commission; to strengthen civil service protection of Ethics Commission employees; to amend the Ethics Commission's investigative process; to establish a process to provide for outside legal counsel for the Ethics Commission if the City Attorney has an ethical or financial conflict of interest; to prohibit the City Attorney from participating in campaigns other than his or her own; to establish procedures whereby City officers, department heads, boards and commissions may engage the services of outside counsel if the City Attorney has an ethical or financial conflict of interests; to require the use of adjusted census figures for the purposes of analyzing population requirements for redistricting Supervisorial districts; and to set a deadline for the Elections Task Force to redraw supervisorial district lines.

Continued to July 11, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010597 **[Power and Water Authority]**

Supervisors Newsom, Hall

Charter amendment (Fifth Draft) to repeal Sections 4.112, 16.103 and A8.508, amend Sections 9.107, 3.101 and A8.500, and add new Sections 4.134, 4.135, 4.136, 4.137, 4.138 and 4.139 to: eliminate the Public Utilities Commission; form a Power and Water Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission and, in addition, be responsible for the generation, sale and transmission of electricity, steam and other energy and be responsible for proposing ordinances setting energy and water efficiency goals and standards that may become effective without action by the Board of Supervisors; and remove authority for the transfer of excess surplus utility funds to the City's General Fund.

(Fiscal impact.)

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

4/9/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Second Draft) bearing new title.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/9/2001.

4/16/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Third Draft), approved as to form, bearing new title.

4/16/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/16/2001.

5/21/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Fourth Draft), approved as to form, bearing new title.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: none. Amendment of the whole bearing a new title.

6/29/01, CONTINUED. Continued to July 6, 2001.

7/2/01, CALLED FROM COMMITTEE. Pursuant to Rule 2.14 Supervisor Newsom call this measure from the Rule Committee for consideration July 16, 2001.

Called out of Committee to be heard before the Board of Supervisors on July 9, 2001.

010957 **[Municipal Water and Power Agency]**

Supervisor Ammiano

Draft Charter amendment (Second Draft) to repeal Section 4.112 and 16.103, and A8.508, amend Section 9.107, 13.101 and A8.500, and add a new Chapter 8B, to: eliminate the Public Utilities Commission; form a Municipal Water and Power Agency which shall succeed to all powers and responsibilities of the Public Utilities Commission and, in addition, be responsible for the generation, sale and transmission of electricity, steam and other energy, be responsible for proposing ordinances setting energy and water efficiency goals and standards to the Board of Supervisors; and to prohibit the transfer of excess surplus utility funds to the City's General Fund until the Agency has adopted a 10 year capital plan, a 5 year business plan and a bi-annual budget subject to review by the Controller.

(Fiscal impact.)

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: none. Amendment of the whole bearing a new title.

6/29/01, CONTINUED. Continued to July 6, 2001.

Heard in Committee. Speakers: Theresa Mueller, Deputy City Attorney; James Barry, Public Utilities Commission; Peg Stevenson; Supervisor Gavin Newsom; Paul; Mark Loye; Paul Goercke; Don Elsburger; Dan Burn; Mark Stout; Paul Fen, Local Power; Joan Girardot, Coalition for San Francisco Neighborhoods; Todd Cresan; Bruce Brugmann; Buck Delventhal, Deputy City Attorney; Marc Salomon; John Bardis; Doug Comstock; Ross Marcarini; Henry Cohn.

Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Third Draft) to repeal Section 4.112 and 16.103, and A8.508, amend Section 9.107, 13.101 and A8.500, and add a new Chapter 8B, to: (1) eliminate the Public Utilities Commission; (2) form a Municipal Water and Power Agency which shall succeed to all powers and responsibilities of the Public Utilities Commission and, in addition, be responsible for the generation, sale and transmission of electricity, steam and other energy, be responsible for proposing ordinances setting energy and water efficiency goals and standards to the Board of Supervisors; (3) adopt a two year budget subject to review by the Controller; and, (4) prohibit the transfer of excess surplus utility funds to the City's General Fund until the Agency has adopted a 10 year capital plan, a 5 year business plan, and a two year budget.

(Fiscal impact.)

Continued to July 11, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010968 **[Mayor's Budget deadline]**

Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 9.100 to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than February 28 of each year.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, CONTINUED. Heard in Committee. Speaker: Supervisor Jake McGoldrick; Buck Delventhal, Deputy City Attorney. Continued to July 6, 2001.

Heard in Committee. Speakers: Supervisor Jake McGoldrick; Steve Kawa, Mayor's Office; John Bardis; Peg Stevenson, Controller's Office; Buck Delventhal.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010983 **[Revenue Bonds, Renewable Energy and Energy Conservation Projects]**

Supervisors Ammiano, Daly, Maxwell

Charter amendment (Second Draft) to amend Section 9.107 to provide for the financing of the acquisition, construction, improvement, reconstruction or replacement of renewable energy facilities and energy conservation facilities.

(Fiscal impact.)
Amendment of the whole bearing the same title.
(Supervisor Hall dissenting in Committee.)

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2000.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speaker: Paul Fen. Amendment of the whole bearing the same title.

6/29/01, CONTINUED. Continued to July 6, 2001.

Heard in Committee. Speakers: Peg Stevenson, Controller's Office.

RECOMMENDED "DO SUBMIT" by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Noes: 1 - Hall

010964 [Appointments to Planning Commission]

Supervisors Gonzalez, McGoldrick, Daly

Charter amendment (First Draft) to amend Section 4.105 to provide that appointments to the Planning Commission shall be shared by the Mayor and the Board of Supervisors.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, CONTINUED. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick. Continued to July 6, 2001.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010969 [Board of Appeals appointments]

Supervisors McGoldrick, Leno, Maxwell, Sandoval, Gonzalez, Daly, Ammiano, Hall

Charter amendment (First Draft) to amend Section 4.106 to provide that appointments to the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick.

6/29/01, CONTINUED. Continued to July 6, 2001.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 5:20 pm.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Wednesday, July 11, 2001 **10:00 AM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

The meeting convened at 10:20 am.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

The Rules Committee cannot act upon the following items as action has already been taken during the meeting of July 6, 2001:
010970 (Land Fill in San Francisco Bay)
010967 (Livable Streets Fund)
010968 (Mayor's Budget Deadline)
010983 (Revenue Bonds, Renewable Energy and Energy Conservation Project)
010964 (Appointments to Planning Commission)
010969 (Board of Appeals Appointments)

REGULAR AGENDA

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010970 **[Land Fill in San Francisco Bay]**

Supervisors Peskin, Ammiano, Hall, Daly, Sandoval, Leno, Maxwell

Charter amendment(Third Draft) to adopt a new Section 16.122, to allow the qualified electors of the City and County of San Francisco the right to vote on any Project of said city and county that would place 100 acres or more of fill in San Francisco Bay.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Aaron Peskin; John Artner; David Lewis, Save the Bay; Timothy Treacy; Marc Salomon; Richard Zimmerman; Michele Moss.

6/22/01, AMENDED. Amended on Page 2, section "a", line 2, to replace the words "of fill to" with "of fill in".
Page 3, line 3, replace the words "90 days" with "150 days".
Page 3, section "b" line 2 to, replace the words "of fill to" with "of fill in".

6/22/01, CONTINUED. Continued to June 29, 2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Aaron Peskin; Ted Lakey, Deputy City Attorney; John Martin, Airport Director; Supervisor Jake McGoldrick; David Lewis; Dorley Rolph; Frederick Hobson; Oscar Braun; Zeke Grader, Pacific Coast Federation of Fisherman Association; Nathan Naman; Stan Warren; Tom Jordan; Mike Hardeman; Marjorie Mandell; Sean Randolph; Sarah Owsowitz-Klein, Deputy City Attorney; Doug Comstock; Armidine Jaba; Marc Salomon; Arthur Chang.
Amendment of the whole bearing a new title.

6/29/01, AMENDED. Amended on page 2, section "c" line 9, replace the words "150 days" with "one hundred and twenty (120) days".

6/29/01, CONTINUED. Continued to July 6, 2001.

7/6/01, RECOMMENDED "DO SUBMIT". Heard in Committee. Speakers: Supervisor Aaron Peskin; Sarah Owsowitz-Klein, Deputy City Attorney; Peter Nardosa, Deputy Director, San Francisco Airport; Arthur Feinstein; Amy Quirk; Lena Brook, Clean Water Action.

The Rules Committee took action on this item on July 6, 2001. The item will be heard before the Board of Supervisors on July 16, 2001.

010540 **[Vacancy in an Elective Office]**

Supervisors McGoldrick, Ammiano

Charter amendment (Fourth Draft) to repeal Sections 2.102 and 6.107, to amend Sections 3.102, 8.100 and 8.101, and to add Section 13.101.5 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

3/26/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/25/2001.

5/3/01, CONTINUED. Heard in Committee. Speakers: Supervisor McGoldrick; Ted Lakey, Deputy City Attorney; Caleb Kleppaer; American Kepner; Janet Carpinelli; Gilbert Criswell; Michael Nolty.

Continued to May 17, 2001.

5/17/01, CONTINUED TO CALL OF THE CHAIR. Supervisor McGoldrick requested that this item be continued to the Call of the Chair.

6/22/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Debra Newman, Budget Analyst's Office; Supervisor Jake McGoldrick; Steven Hill; Chris Bowman; Marc Salomon; John Bardis; Bill Barnes, aide to Supervisor Chris Daly.

Supervisor Gonzalez requested this item be considered first on the agenda.

6/22/01, CONTINUED. Continued to June 29, 2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.
Amendment of the whole bearing the same title.

6/29/01, CONTINUED. Continued to July 6, 2001.

7/6/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Mark South; Chris Bowman; Supervisor Jake McGoldrick; Maxwell Peltz, Deputy City Attorney.
Amendment of the whole bearing the same title.

7/6/01, CONTINUED. Continued to July 11, 2001.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick.

RECOMMENDED "DO SUBMIT" by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010967 **[Livable Streets Fund]**

Supervisors Leno, Maxwell, Newsom

Charter amendment (Second Draft) to add Section 16.121, to create a Livable Streets Fund.

(Fiscal impact.)

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Mark Leno; Peg Stevenson, Controller's Office; Buck Delventhal, Deputy City Attorney.
Amendment of the whole bearing the same title.

6/29/01, CONTINUED. Continued to July 6, 2001.

7/6/01, REFERRED WITHOUT RECOMMENDATION. Heard in Committee. Speakers: Supervisor Mark Leno; Tom Owen, Deputy City Attorney; Buck Delventhal; Jose Luis Moscovich, Interim Executive Director, Transportation Authority; Peg Stevenson, Controller's Office; Peter Tanin, Parking and Traffic; Bob Planthold; male; Leah Shahum; Roger Bazeley; Garnet Huber; Gene Lynch; Alexis Harte; Doug Wildman; Ms. Blair; Marc Salomon; Anthony Travis; Janet Black; Cathleen Sneath; Steve Kawa, Mayor's Office.

The Rules Committee took action on this item on July 6, 2001. The item will be heard before the Board of Supervisors on July 16, 2001.

010956 **[Charter Amendment regarding Elections, Ethics, Redistricting and Outside Counsel]**
Supervisors Newsom, Daly, Gonzalez, Hall, Ammiano

Charter amendment (Third Draft) adding Section 13.103.5 and 13.104.5 and amending Sections 6.102, 13.104, 13.110, 15.100, 15.101, 15.102, 15.105, C3.699-13, C3.699-14 and C3.699-15 to create an Elections Commission; to establish employment provisions for Department of Election employees; to establish procedures for the hiring of outside legal counsel for the Elections Commission and the Department of Elections when the City Attorney has a conflict of interest; to provide a removal process for members of the Elections Commission; to strengthen the conflicts of interest provisions for members and employees of the Ethics Commission; to strengthen civil service protection of Ethics Commission employees; to amend the Ethics Commission's investigative process; to establish a process to provide for outside legal counsel for the Ethics Commission if the City Attorney has an ethical or financial conflict of interest; to prohibit the City Attorney from participating in campaigns other than his or her own; to establish procedures whereby City officers, department heads, boards and commissions may engage the services of outside counsel if the City Attorney has an ethical or financial conflict of interests; to require the use of adjusted census figures for the purposes of analyzing population requirements for redistricting Supervisorial districts; and to set a deadline for the Elections Task Force to redraw supervisorial district lines.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED. Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.
Amendment of the whole bearing a new title.

6/29/01, CONTINUED. Continued to July 6, 2001.

7/6/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Peg Stevenson, Controller's Office; Maxwell Peltz, Deputy City Attorney; Gina Vida, Ethics Commission; Chris Bowman; John Bardis; Bob Planthold; Marc Salomon.
Amendment of the whole bearing a new title.

7/6/01, CONTINUED. Continued to July 11, 2001.

Heard in Committee. Speakers: Buck Delventhal; Ginny Vida, Ethics Commission; Phil Paris, Elections; Supervisor Gavin Newsom; Peg Stevenson, Controller's Office; Charles Marsteller; John Bardis; Kay Burk; David Pilpel; Richard Ow; Ryan Brooks, Administrative Services; Chris Bowman.

Two additional files are to be created. One shall encompass all of File #010956 except for items concerning redistricting. One shall encompass only items concerning redistricting.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter Amendment (Fourth Draft) adding Sections 13.103.5, 13.104.5, 13.107.5, amending Sections 6.102, 13.104, 13.110, 15.100, 15.101, 15.102, 15.105, C3.699-13 and C3.699-14, and repealing Section C3.699-15 to create an Elections Commission; to establish procedures for the Elections Commission to appoint the Director of Elections; to institute conflict-of-interest prohibitions applicable to members and employees of the Elections Commission and Department of Elections; to prohibit the use of City employees other than Department of Election employees to staff elections unless approved by the Elections Commission and Board of Supervisors; to charge the Sheriff with transporting and safeguarding voted ballots and memory packs and providing security for the Department of Elections; to require precinct boards to post an accounting of ballots upon the closing of the polls; to establish procedures for the Elections Commission and the Department of Elections to retain outside legal counsel when the City Attorney has a conflict of interest relating to his or her candidacy; to replace the Controller with the Assessor as an appointing authority for the Ethics Commission; to lengthen the term of Ethics Commissioners from four to six years; to strengthen conflict-of-interest prohibitions and establish revolving-door prohibitions applicable to members and employees of the Ethics Commission; to strengthen civil service protections for Ethics Commission employees; to amend the Ethics Commission's investigative process; to provide that the appointing authority, rather than the Mayor, may initiate removal of Elections and Ethics Commissioners; to establish a procedure whereby elected officers, Department heads, Boards and Commissions may retain outside counsel if the City Attorney has an ethical or financial conflict of interest regarding a particular matter; to prohibit the City Attorney from participating in campaigns other than his or her own; to provide that the Elections Commission, rather than Director of Elections, shall appoint three members to the Elections Task Force; to require the use of adjusted census figures in redistricting Supervisorial districts; and to set deadlines for creation of the Elections Task Force and for completion of redistricting.

Continued to July 16, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010597 **[Power and Water Authority]**

Supervisors Newsom, Hall

Charter amendment (Sixth Draft) to repeal Sections 4.112, and A8.508, amending Sections 3.101, 9,107, 16.103 and A8.500, and adding new Sections 4.140, 4.141, 4.143, 4.144, 4.145 and 4.146 and 4.147 to: (1) eliminate the Public Utilities Commission; (2) form a Power and Water Authority which shall succeed to all powers and responsibilities of the Public Utilities Commission and, in addition, be responsible for (a) the generation, sale and transmission of electricity, steam and other energy and (b) proposing ordinances setting energy and water efficiency goals and standards that may become effective without action by the Board of Supervisors; (3) modify authority for the transfer of excess surplus utility funds to the City's General Fund.

(Fiscal impact.)

4/2/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/2/2001.

4/9/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Second Draft) bearing new title.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/9/2001.

4/16/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Third Draft), approved as to form, bearing new title.

4/16/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/16/2001.

5/21/01, SUBSTITUTED. Supervisor Newsom submitted a substitute charter amendment (Fourth Draft), approved as to form, bearing new title.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: none. Amendment of the whole bearing a new title.

6/29/01, CONTINUED. Continued to July 6, 2001.

7/2/01, CALLED FROM COMMITTEE. Pursuant to Rule 2.14 Supervisor Newsom call this measure from the Rule Committee for consideration July 16, 2001.

7/9/01, AMENDED. 7/9/01 - Supervisor Newsom presented an amendment of the whole bearing new title.

7/9/01, RE-REFERRED. Re-referred to the Rules Committee.

Heard in Committee. Speakers: Supervisor Gavin Newsom; Theresa Mueller, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Mark Stout.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010957 **[Municipal Water and Power Agency]**

Supervisor Ammiano

Charter amendment (Third Draft) to repeal Section 4.112 and 16.103, and A8.508, amend Section 9.107, 13.101 and A8.500, and add a new Chapter 8B, to: (1) eliminate the Public Utilities Commission; (2) form a Municipal Water and Power Agency which shall succeed to all powers and responsibilities of the Public Utilities Commission and, in addition, be responsible for the generation, sale and transmission of electricity, steam and other energy, be responsible for proposing ordinances setting energy and water efficiency goals and standards to the Board of Supervisors; (3) adopt a two year budget subject to review by the Controller; and, (4) prohibit the transfer of excess surplus utility funds to the City's General Fund until the Agency has adopted a 10 year capital plan, a 5 year business plan, and a two year budget.

(Fiscal impact.)

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: none. Amendment of the whole bearing a new title.

6/29/01, CONTINUED. Continued to July 6, 2001.

7/6/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Theresa Mueller, Deputy City Attorney; James Barry, Public Utilities Commission; Peg Stevenson; Supervisor Gavin Newsom; Paul; Mark Loye; Paul Goercke; Don Elsburger; Dan Burn; Mark Stout; Paul Fen, Local Power; Joan Girardot, Coalition for San Francisco Neighborhoods; Todd Cresan; Bruce Brugmann; Buck Delventhal, Deputy City Attorney; Marc Salomon; John Bardis; Doug Comstock; Ross Marcarini; Henry Cohn.
Amendment of the whole bearing a new title.

7/6/01, CONTINUED. Continued to July 11, 2001.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Denna Dilbert; Theresa Mueller, Deputy City Attorney; Paul Quirke; Richard Ow; Arthur Jenson, Bay Area Water Users Association; Supervisor Gavin Newsom.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010968 **[Mayor's Budget deadline]**

Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 9.100 to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than February 28 of each year.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, CONTINUED. Heard in Committee. Speaker: Supervisor Jake McGoldrick; Buck Delventhal, Deputy City Attorney. Continued to July 6, 2001.

7/6/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor Jake McGoldrick; Steve Kawa, Mayor's Office; John Bardis; Peg Stevenson, Controller's Office; Buck Delventhal.

The Rules Committee took action on this item on July 6, 2001.

010983 **[Revenue Bonds, Renewable Energy and Energy Conservation Projects]**

Supervisors Ammiano, Daly, Maxwell

Charter amendment (Second Draft) to amend Section 9.107 to provide for the financing of the acquisition, construction, improvement, reconstruction or replacement of renewable energy facilities and energy conservation facilities.

(Fiscal impact.)
Amendment of the whole bearing the same title.
(Supervisor Hall dissenting in Committee.)

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2000.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speaker: Paul Fen. Amendment of the whole bearing the same title.

6/29/01, CONTINUED. Continued to July 6, 2001.

7/6/01, RECOMMENDED "DO SUBMIT". Heard in Committee. Speakers: Peg Stevenson, Controller's Office.

The Rules Committee took action on this item on July 6, 2001. The item will be heard before the Board of Supervisors on July 16, 2001.

010964 **[Appointments to Planning Commission]**

Supervisors Gonzalez, McGoldrick, Daly

Charter amendment (First Draft) to amend Section 4.105 to provide that appointments to the Planning Commission shall be shared by the Mayor and the Board of Supervisors.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, CONTINUED. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick. Continued to July 6, 2001.

7/6/01, CONTINUED TO CALL OF THE CHAIR.

The Rules Committee took action on this item on July 6, 2001.

010969 **[Board of Appeals appointments]**

Supervisors McGoldrick, Leno, Maxwell, Sandoval, Gonzalez, Daly, Ammiano, Hall

Charter amendment (Second Draft) to amend Section 4.106 to provide that appointments to the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick.

6/29/01, CONTINUED. Continued to July 6, 2001.

7/6/01, CONTINUED TO CALL OF THE CHAIR.

The Rules Committee took action on this item on July 6, 2001.

ADJOURNMENT

The meeting adjourned at 4:40 pm.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Monday, July 16, 2001 | **9:30 AM** | **City Hall, Room 263**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

The meeting convened at 9:46 am.

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010956 **[Charter Amendment regarding Elections, Ethics, Redistricting and Outside Counsel]**
Supervisors Newsom, Daly, Gonzalez, Hall, Ammiano, Sandoval

Charter Amendment (Fourth Draft) adding Sections 13.103.5, 13.104.5, 13.107.5, amending Sections 6.102, 13.104, 13.110, 15.100, 15.101, 15.102, 15.105, C3.699-13 and C3.699-14, and repealing Section C3.699-15 to create an Elections Commission; to establish procedures for the Elections Commission to appoint the Director of Elections; to institute conflict-of-interest prohibitions applicable to members and employees of the Elections Commission and Department of Elections; to prohibit the use of City employees other than Department of Election employees to staff elections unless approved by the Elections Commission and Board of Supervisors; to charge the Sheriff with transporting and safeguarding voted ballots and memory packs and providing security for the Department of Elections; to require precinct boards to post an accounting of ballots upon the closing of the polls; to establish procedures for the Elections Commission and the Department of Elections to retain outside legal counsel when the City Attorney has a conflict of interest relating to his or her candidacy; to replace the Controller with the Assessor as an appointing authority for the Ethics Commission; to lengthen the term of Ethics Commissioners from four to six years; to strengthen conflict-of-interest prohibitions and establish revolving-door prohibitions applicable to members and employees of the Ethics Commission; to strengthen civil service protections for Ethics Commission employees; to amend the Ethics Commission's investigative process; to provide that the appointing authority, rather than the Mayor, may initiate removal of Elections and Ethics Commissioners; to establish a procedure whereby elected officers, Department heads, Boards and Commissions may retain outside counsel if the City Attorney has an ethical or financial conflict of interest regarding a particular matter; to prohibit the City Attorney from participating in campaigns other than his or her own; to provide that the Elections Commission, rather than Director of Elections, shall appoint three members to the Elections Task Force; to require the use of adjusted census figures in redistricting Supervisorial districts; and to set deadlines for creation of the Elections Task Force and for completion of redistricting.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED. Heard in Committee. Speakers: Supervisor Gavin Newsom; Chad Jacobs, Deputy City Attorney; Ted Lakey, Deputy City Attorney; Bill Barnes, aide to Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Robert Dockingdoff; Charlie Marsteller; Ruth Balis; Ernestine Weiss; Chris Bowman; Kay Bert; Louise Renne, City Attorney.

Continued to June 29, 2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Bob Planthold; Chris Bowman; Ginny Vida, Ethics Commission; Fred Ridel; Doug Comstock; Marc Solomon, Supervisor Chris Daly.
Amendment of the whole bearing a new title.

6/29/01, CONTINUED. Continued to July 6, 2001.

7/6/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Gavin Newsom; Peg Stevenson, Controller's Office; Maxwell Peltz, Deputy City Attorney; Gina Vida. Ethics Commission; Chris Bowman; John Bardis; Bob Planthold; Marc Salomon.
Amendment of the whole bearing a new title.

7/6/01, CONTINUED. Continued to July 11, 2001.

7/11/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Buck Delventhal; Ginny Vida, Ethics Commission; Phil Paris, Elections; Supervisor Gavin Newsom; Peg Stevenson, Controller's Office; Charles Marsteller; John Bardis; Kay Burk; David Pilpel; Richard Ow; Ryan Brooks, Administrative Services; Chris Bowman.

Two additional files are to be created. One shall encompass all of File #010956 except for items concerning redistricting. One shall encompass only items concerning redistricting.

7/11/01, CONTINUED. Continued to July 16, 2001.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Buck Delventhal, Deputy City Attorney; Peg Stevenson, Controller's Office; Bill Lee, City Administrator; Supervisor Gavin Newsom; Ed Harrington, Controller; Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Phil Ryan, Ethics Commission; John Bardis; Kay Burk; Daniel Encurshembalm; Chris Bowman.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011315 **[Charter Amendment regarding Elections, Ethics and Outside Counsel]**

Supervisors Newsom, Daly, Gonzalez, Hall, Ammiano

Charter amendment (First Draft) adding Sections 13.103.5, 13.104.5, 13.107.5, amending Sections 6.102, 13.104, 15.100, 15.101, 15.102, 15.105, C3.699-13 and C3.699-14, and repealing Section C3.699-15 to create an Elections Commission; to establish procedures for the Elections Commission to appoint the Director of Elections; to institute conflict-of-interest prohibitions applicable to members and employees of the Elections Commission and Department of Elections; to prohibit the use of City employees other than Department of Election employees to staff elections unless approved by the Elections Commission and Board of Supervisors; to charge the Sheriff with transporting and safeguarding voted ballots and memory packs and providing security for the Department of Elections; to require precinct boards to post an accounting of ballots upon the closing of the polls; to establish procedures for the Elections Commission and the Department of Elections to retain outside legal counsel when the City Attorney has a conflict of interest relating to his or her candidacy; to replace the Controller with the Assessor as an appointing authority for the Ethics Commission; to lengthen the term of Ethics Commissioners from four to six years; to strengthen conflict-of-interest prohibitions and establish revolving-door prohibitions applicable to members and employees of the Ethics Commission; to strengthen civil service protections for Ethics Commission employees; to amend the Ethics Commission's investigative process; to provide that the appointing authority, rather than the Mayor, may initiate removal of Elections and Ethics Commissioners; to establish a procedure whereby elected officers, Department heads, Boards and Commissions may retain outside counsel if the City Attorney has an ethical or financial conflict of interest regarding a particular matter; and to prohibit the City Attorney from participating in campaigns other than his or her own.

7/11/01, DIVIDED to Rules Committee. Divided from File 010956.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Buck Delventhal, Deputy City Attorney; Peg Stevenson, Controller's Office; Bill Lee, City Administrator; Supervisor Gavin Newsom; Ed Harrington, Controller; Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Phil Ryan, Ethics Commission; John Bardis; Kay Burk; Daniel Encurshembalm; Chris Bowman.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011316 **[Charter Amendment regarding Redistricting]**

Supervisor Daly

Charter amendment (First Draft) amending Section 13.110 to provide that the Elections Commission, rather than the Director of Elections, shall appoint three members to the Elections Task Force; to require the use of adjusted census figures in redistricting Supervisorial districts; and to set deadlines for creation of the Elections Task Force and for completion of redistricting.

7/11/01, DIVIDED to Rules Committee. Divided from File 010956.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Buck Delventhal, Deputy City Attorney; Peg Stevenson, Controller's Office; Bill Lee, City Administrator; Supervisor Gavin Newsom; Ed Harrington, Controller; Supervisor Chris Daly; Paul Melbostad, Ethics Commission; Phil Ryan, Ethics Commission; John Bardis; Kay Burk; Daniel Encurshembalm; Chris Bowman.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 12:14 pm.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, July 19, 2001 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 1:17 pm.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

There were no items indicated.

REGULAR AGENDA

011319 [Appointment]
Hearing to consider appointing one member to the Ballot Simplification Committee.

1 Seat Being Considered:
Vacant seat, succeeding Mary Hilton, term expired, seat 3, must represent the League of Women Voters, for a new two-year term ending November 30, 2002.
7/12/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Holli Thier, League of Women Voters; Gerard Gleason, Department of Elections.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Holli Thier, term ending November 30, 2002, to the Ballot Simplification Committee.

Holli Thier, succeeding Mary Hilton, term expired, seat 3, must represent the League of Women Voters, for a new two-year term ending November 30, 2002.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011312 [Appointment]

Resolution appointing Supervisor Mark Leno, term ending June 30, 2003, as an alternate member to the Association of Bay Area Governments Executive Board.

Supervisor Mark Leno, succeeding himself, Seat No. 3, must be a member of the San Francisco Board of Supervisors (alternate), for a new two-year term ending June 30, 2003.

7/11/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011313 [Appointment]

Resolution appointing Supervisor Jake McGoldrick, term ending June 30, 2003, to the Association of Bay Area Governments Executive Board.

Supervisor Jake McGoldrick, succeeding himself, Seat No. 2, must be a member of the San Francisco Board of Supervisors, for a new two-year term ending June 30, 2003.

7/11/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011314 [Appointment]

Resolution appointing Supervisor Chris Daly, term ending June 30, 2003, to the Association of Bay Area Governments Executive Board.

Supervisor Chris Daly, succeeding Supervisor Tony Hall, resigned, Seat No. 1, must be a member of the San Francisco Board of Supervisors, for a new two-year term ending June 30, 2003.

7/11/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011153 [Juvenile Justice Monitoring Committee]

Supervisor Gonzalez

Resolution establishing a Juvenile Justice Monitoring Committee to review and make recommendations to the Board on possible legislative and budgetary actions relating to the juvenile justice system.

6/18/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jesse Williams Jr., Chief Probation Officer, Juvenile Probation; Damone Hale, President, Juvenile Probation Commission; Rob Eshelman, aide to Supervisor Gonzalez; Jeannie Hwang Bray, Administrator, Delinquency Prevention Commission; Art Topra; Media Lamin; Johnny Spain; Gaylon Logan; Ntanya Lee, Coleman Advocates; Antonechia Smith; Garry Bieringer; Wilma Ortiz; male; Maurice James.

Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Continued to August 2, 2001.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 3:45 pm.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, August 02, 2001 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

The meeting convened at 1:10 pm.

AGENDA CHANGES

The Chairperson inquired if there were any changes to the agenda members were aware of which needed to be continued or considered differently.

The matter relating to Jazz Preservation District. File No. 011169. (See infra)

REGULAR AGENDA

011397 **[Appointment]**
Hearing to consider appointing two members to the Ballot Simplification Committee.

2 Seats Being Considered:
Vacant seat, succeeding John Odell, seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter, for the unexpired portion of a two-year term ending November 30, 2002;
Vacant seat, succeeding Betty Packard, seat 2, must represent California Association of Broadcast Editorial Directors, for the unexpired portion of a two-year term ending November 30, 2002.
7/24/01, RECEIVED AND ASSIGNED to Rules Committee

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Betty Packard.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing John Odell and Betty Packard, terms ending November 30, 2002, to the Ballot Simplification Committee.

John Odell, succeeding himself, seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter, for the unexpired portion of a two-year term ending November 30, 2002; Betty Packard, succeeding herself, seat 2, must represent California Association of Broadcast Editorial Directors, for the unexpired portion of a two-year term ending November 30, 2002.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011279 **[Community Land Trust Task Force]**

Supervisors Gonzalez, Daly, Ammiano

Resolution establishing a Community Land Trust Task Force to develop recommendations for consideration by the Board of Supervisors on steps necessary to implement community land trusts in San Francisco, establishing the membership of the Task Force, directing the Task Force to establish its rules of operation which shall include compliance with the Sunshine Ordinance, directing the Clerk of the Board to provide staff assistance for research and compliance with the Sunshine Ordinance, and providing that the Task Force shall report back to the Board and sunset its operations within six months of the appointment of its members.

7/9/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Chris Daly; Ted Lakey, Deputy City Attorney; Joe LaTorre, Mayor's Office of Housing; David Jay Bond; Elaine Forbes, Legislative Analyst; Tom Wetzel; Ernestine Weiss; James Tracy; Barry Hermanson; Marc Salomon; Ms. Simpson.

Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011153 **[Juvenile Justice Monitoring Committee]**

Supervisor Gonzalez

Resolution establishing a Juvenile Justice Monitoring Committee to review and make recommendations to the Board on possible legislative and budgetary actions relating to the juvenile justice system.

6/18/01, RECEIVED AND ASSIGNED to Rules Committee.

7/19/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Jesse Williams Jr., Chief Probation Officer, Juvenile Probation; Damone Hale, President, Juvenile Probation Commission; Rob Eshelman, aide to Supervisor Gonzalez; Jeannie Hwang Bray, Administrator, Delinquency Prevention Commission; Art Topra; Media Lamin; Johnny Spain; Gaylon Logan; Ntanya Lee, Coleman Advocates; Antonechia Smith; Garry Bieringer; Wilma Ortiz; male; Maurice James.

Amendment of the whole bearing the same title.

7/19/01, CONTINUED AS AMENDED. Continued to August 2, 2001.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Wilma Ortiz; NTanye Lee, Coleman Advocates; Linda Perez, Coleman Advocates for Youth; Abby Dinsa; Carmen; Teresa Gallegos; Lourdes Duarte; Mary Lavalais; Ray Barbaran; Jesse Williams, Chief Probation Office, Juvenile Probation; Cynthia Billups, Children's System of Care.

Amendment of the whole bearing the same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011169 **[Jazz Preservation District]**

Supervisor Gonzalez

Hearing to consider the Jazz Preservation District concept in San Francisco's Western Addition neighborhood and the San Francisco Redevelopment Agency's plans for issuing a Request for Proposals for agency Parcel No. 732-A.

6/18/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee

7/25/01, TRANSFERRED to Rules Committee.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 3:35 pm.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Monday, August 13, 2001 | **10:00 AM** | **City Hall, Legislative Chambers**

Special Meeting

Members Present: Matt Gonzalez, Tom Ammiano.

Members Absent: Tony Hall.

Meeting Convened

The meeting convened at 10:06 am.

011468 **[Ballot Argument - Municipal Utility District]**

Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition ____, a proposal to form a Municipal Utility District for the City and County of San Francisco and the City of Brisbane to be known as the San Francisco-Brisbane Municipal Utility District.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers. none.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011469 **[Ballot Argument - Revenue Bond Authority]**

Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition ____, a Charter Amendment regarding revenue bond authority for renewable energy and energy conservation projects.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Chris Bowman.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's ballot argument in favor of Proposition H, a Charter Amendment regarding revenue bond authority for renewable energy and energy conservation projects.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011470 **[Ballot Argument - Municipal Water and Power Agency]**

Supervisor Ammiano

Motion authorizing proponent's ballot argument in favor of Proposition ____, a Charter Amendment creating a Municipal Water and Power Agency.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Chris Bowman.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's ballot argument in favor of Proposition F, a Charter Amendment creating a Municipal Water and Power Agency.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011471 **[Ballot Argument - Redistricting]**

Supervisor Daly

Motion authorizing proponent's ballot argument in favor of Proposition ____, a Charter Amendment regarding Redistricting.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's ballot argument in favor of Proposition G, a Charter Amendment regarding Redistricting.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011472 **[Ballot Argument - Revenue Bond Solar Energy Facilities]**

Supervisor Leno

Motion authorizing proponent's ballot argument in favor of Proposition ____, a Revenue Bond Measure regarding Solar Energy Facilities.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Chris Bowman; Nathan Purkiss.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's ballot argument in favor of Proposition B, a Revenue Bond Measure regarding Solar Energy Facilities.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011473 **[Ballot Argument - Vacancy in Elective Office]**

Supervisor McGoldrick

Motion authorizing proponent's ballot argument in favor of Proposition C, a Charter Amendment regarding vacancy in Elective Office.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Jake McGoldrick; Chris Bowman.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011474 **[Ballot Argument - Election, Ethics and Outside Counsel]**

Supervisor Newsom

Motion authorizing proponent's ballot argument in favor of Proposition ____, a Charter Amendment regarding Election, Ethics and Outside Counsel.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Chris Bowman; Mike Farrah, aide to Supervisor Newsom; Charles Marsteller.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's ballot argument in favor of Proposition E, a Charter Amendment regarding Election, Ethics and Outside Counsel.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011476 **[Ballot Argument - Land Fill of 100 Acres or More in the San Francisco Bay]**

Supervisor Peskin

Motion authorizing opponent's ballot argument in favor of Proposition ____, a Charter Amendment regarding Land Fill in San Francisco Bay.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Aaron Peskin.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's ballot argument in favor of Proposition D, a Charter Amendment regarding Land Fill in San Francisco Bay.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

ADJOURNMENT

The meeting adjourned at 11:11 am.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, August 16, 2001 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tom Ammiano.

Members Absent: Tony Hall.

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Meeting Convened

The meeting convened at 1:00 pm.

REGULAR AGENDA

011396 [Appointment]

Hearing to consider appointing one member to the Water Transit Authority Community Advisory Committee.

1 Seat Being Considered:
Vacant seat, new appointment, Seat 1, must be appointed by the San Francisco Board of Supervisors to represent the county in which a water transit terminal is located, for an indefinite term.
7/23/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Supervisor Aaron Peskin, indefinite term, to the Water Transit Authority Community Advisory Committee.

Aaron Peskin, new appointment, Seat 1, must be appointed by the San Francisco Board of Supervisors to represent the county in which a water transit terminal is located, for an indefinite term.

RECOMMENDED by the following vote:
Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011483 [Confirmation]

Resolution appointing Wade Crowfoot, indefinite term, as an alternate member of the San Francisco Bay Conservation and Development Commission.
8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Ted Lakey, Deputy City Attorney.

RECOMMENDED by the following vote:
Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011482 **[Appointment]**

Motion appointing Supervisor Matt Gonzalez, term to be determined, to the San Francisco Local Agency Formation Commission.

1 Seat Being Considered:
Supervisor Matt Gonzalez, succeeding Supervisor Chris Daly, resigned, Seat 2, term to be determined.
8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Continued to August 20, 2001.

CONTINUED by the following vote:
Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011205 **[Mid-Income Housing Task Force]**

Supervisors Daly, McGoldrick

Resolution establishing the Mid-Income Housing Task Force.
6/25/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
7/2/01, SEVERED FROM FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA. Supervisor McGoldrick requested this item be severed and considered seperately.
7/2/01, REFERRED to Rules Committee. Supervisor McGolderick requested this item be referred to the Rules Committee.

Heard in Committee. Speakers: Supervisor Chris Daly; Ted Lakey, Deputy City Attorney; Ernestine Weiss.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:
Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

010119 **[Establishing a 19-member task force to study civic participation and electoral reform]**

Supervisor Daly

Resolution establishing the Civic Participation Task Force to study trends in civic participation and report back to the Board of Supervisors with proposed electoral reforms.
1/22/01, RECEIVED AND ASSIGNED to Rules Committee.
5/21/01, SUBSTITUTED. Supervisor Daly submitted a substitute Resolution bearing same title.
5/21/01, ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Chris Daly; Richard Ow; Ted Lakey, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:
Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011236 [Appointment]

Hearing to consider appointing three members to the Asthma Task Force.

3 Seats Being Considered:
Vacant seat, new appointment, seat 12, must be a representative of MediCal Managed Care Insurers, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 20, must be a representative of the Department of Public Health, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 21, must be an individual who represents property interests (non-voting member), for a new two-year term ending June 30, 2003.

6/21/01. RECEIVED AND ASSIGNED to Rules Committee.
6/21/01. CONTINUED TO CALL OF THE CHAIR. Divided from File 011057.

Heard in Committee. Speakers: Jennifer Mann.

Seat 12 and 21 divided and continued to the call of the chair. See File No. 011570.

DIVIDED.

Hearing to consider appointing one member to the Asthma Task Force.

1 Seat Being Considered:
Vacant seat, new appointment, seat 20, must be a representative of the Department of Public Health, for a new two-year term ending June 30, 2003.

Jennifer Mann (residency requirement waived), seat 20, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Jennifer Mann, term ending June 30, 2003, to the Asthma Task Force, residency requirement waived.

Jennifer Mann (residency requirement waived), new appointment, seat 20, must be a representative of the Department of Public Health, for a new two-year term ending June 30, 2003.

RECOMMENDED.. by the following vote:
Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011570 [Appointment]

Hearing to consider appointing two members to the Asthma Task Force. (Clerk of the Board)

2 Seats Being Considered:
Vacant seat, new appointment, seat 12, must be a representative of MediCal Managed Care Insurers, for a new two-year term ending June 30, 2003;
Vacant seat, new appointment, seat 21, must be an individual who represents property interests (non-voting member), for a new two-year term ending June 30, 2003.

Divided from File No. 011236.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011401 **[Appointment]**

Hearing to consider appointing three members to the Transgender Civil Rights Implementation Task Force.

3 Seats Being Considered:
Vacant seat, succeeding Theresa Sparks, resigned, seat 2, must be a member of the transgender community; for the unexpired portion of a two-year term ending June 1, 2002;
Vacant seat, succeeding Riley Morgan, resigned, seat 5, must be a member of the transgender community; for the unexpired portion of a two-year term ending June 1, 2002;
Vacant seat, succeeding David Strachan, resigned, seat 6, must be a member of the transgender community; for the unexpired portion of a two-year term ending June 1, 2002.

7/26/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: LeChara Johnson; Felicia Elizondo; Georgie Freeman; Gwendolyn Ann Smith; Simon Arnoff; Nathan Purkiss, aide to Supervisor Leno; Supervisor Chris Daly.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Gwendolyn Ann Smith, Felicia Elizondo, and Simon Aronoff, terms ending June 1, 2002, to the Transgender Civil Rights Implementation Task Force, residency requirement waived.

Gwendolyn Ann Smith (residency requirement waived), succeeding Theresa Sparks, resigned, seat 2, must be a member of the transgender community; for the unexpired portion of a two-year term ending June 1, 2002;
Felicia Elizondo, succeeding Riley Morgan, resigned, seat 5, must be a member of the transgender community; for the unexpired portion of a two-year term ending June 1, 2002;
Simon Aronoff (residency requirement waived), succeeding David Strachan, resigned, seat 6, must be a member of the transgender community; for the unexpired portion of a two-year term ending June 1, 2002.

Gwendolyn Ann Smith (residency requirement waived), seat 2, Felicia Elizondo, seat 5, and Simon Aronoff (residency requirement waived), seat 6, recommended.

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

010762 **[Selection of Police Inspectors]**

Ordinance amending Section 2A.78 of the San Francisco Administrative Code to conform with post Consent Decree requirements regarding the administration of examination for the rank of Assistant Inspector. (Police Department)

4/25/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

ADJOURNMENT

The meeting adjourned at 2:35 pm.

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

City Hall
1 Dr Carlton B
Goodlett Place
San Francisco, CA
94102-4689

Monday, August 20, 2001 **8:30 AM** **City Hall, Room 263**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

The meeting convened at 8:37 am.

010840 **[Elections Task Force]**

Ordinance creating the Elections Task Force to redraw Board of Supervisors district lines pursuant to the provisions set forth in Charter Section 13.110(d) following the 2000 federal census. (Clerk of the Board)

5/7/01, RECEIVED AND ASSIGNED to Rules Committee.

5/17/01, RECOMMENDED. Heard in Committee. Speakers: Phillip Paris, Director, Department of Elections; Ted Lakey, Deputy City Attorney; Gloria L. Young, Clerk of the Board

5/29/01, RE-REFERRED to Rules Committee. Supervisor Sandoval requested this matter be re-referred to committee

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Chris Bowman, Citizen Advisory Committee on Elections; Bob Planthold; Anita Greer, Board of Trustee, City College; Bill Barnes, aide to Supervisory Daly; Winchell Hayward; Paula Viscal; Ms. Crome; Charles Marstellar; Dan Nickleson; Mr. Alvarez; Marchell Kabuka; Tammy Haygood, Director of Elections; Bill Lee, City Administrator.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance creating the Elections Task Force to redraw Board of Supervisors district lines pursuant to the provisions set forth in Charter Section 13.110(d) following the 2000 federal census; operative date October 9, 2001. (Clerk of the Board)

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011497 **[Rent Control Ordinance amendment, six month period which landlords may not evict tenants for non-payment of capital improvement passthrough]**

Supervisors Ammiano, Hall, Gonzalez

Ordinance providing a six-month period commencing August 10, 2001, during which landlords are prevented from evicting tenants for non-payment of that portion of rent attributable to capital improvement passthrough petitions decided at the Rent Board after April 10, 2000, pursuant to capital improvement petitions filed prior to August 10, 2001.

8/13/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

8/15/01, TRANSFERRED to Rules Committee.

Heard in Committee. Speakers: Brook Turner, Coalition for Better Housing; Jeanan Rutan; Robert Han; Mr. Beca.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011482 **[Appointment]**

Motion appointing Supervisor Matt Gonzalez, term to be determined, to the San Francisco Local Agency Formation Commission.

1 Seat Being Considered:
Supervisor Matt Gonzalez, succeeding Supervisor Chris Daly, resigned, Seat 2, term to be determined.
8/6/01, RECEIVED AND ASSIGNED to Rules Committee.
8/16/01, CONTINUED. Continued to August 20, 2001.

Heard in Committee. Speakers: none.

Supervisor Gonzalez excused from voting.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 2 - Hall, Ammiano
Excused: 1 - Gonzalez

ADJOURNMENT

The meeting adjourned at 9:40 am.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Friday, August 24, 2001 **1:00 PM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

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PUBLIC LIBRARY

The meeting convened at 1:27 pm.

REGULAR AGENDA

011480 **[Rebuttal Argument - Solar Energy Facilities]**

Supervisor Leno

Motion authorizing rebuttal to opponent's ballot argument against Proposition B, a Revenue Bond Measure regarding Solar Energy Facilities.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's rebuttal ballot argument in favor of Proposition B, a Revenue Bond Measure regarding Solar Energy Facilities.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011494 **[Rebuttal Argument - Proposition C]**

Supervisor McGoldrick

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a Charter Amendment regarding vacancy in Elective Office.

8/13/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011519 **[Rebuttal Argument - Proposition D]**

Supervisor Peskin

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, a Charter Amendment regarding Land Fill in the San Francisco Bay.

8/13/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Wade Crowfoot, aide to Supervisor Peskin.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponents rebuttal ballot argument in favor of Proposition D, a Charter Amendment regarding Land Fill in the San Francisco Bay.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011475 **[Rebuttal Argument - Election, Ethics and Outside Counsel]**

Supervisor Newsom

Motion authorizing rebuttal to opponent's ballot argument against Proposition E, a Charter Amendment regarding Election, Ethics and Outside Counsel.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011518 **[Rebuttal Argument - Proposition F]**

Supervisor Ammiano

Motion authorizing proponent's rebuttal ballot argument in favor of Proposition F, a Charter Amendment creating a Municipal Water and Power Agency.

8/13/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Chris Bowman.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011534 **[Rebuttal Argument - Redistricting]**

Supervisor Daly

Motion authorizing rebuttal to opponent's ballot argument against Proposition G, a Charter Amendment regarding Redistricting.

8/20/00, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Chris Daly; Chris Bowman.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's rebuttal ballot argument in favor of Proposition G, a Charter Amendment regarding Redistricting.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011517 **[Rebuttal Argument - Proposition H]**

Supervisor Ammiano

Motion authorizing proponent's rebuttal ballot argument in favor of Proposition H, a Charter Amendment authorizing the Board of Supervisors to issue revenue bonds for renewable energy and energy conservation programs.

8/13/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011516 **[Rebuttal Argument - Municipal Utility District]**

Supervisor Ammiano

Motion authorizing proponent's rebuttal ballot argument in favor of Proposition ____, a proposal to form a Municipal Utility District for the City and County of San Francisco and the City of Brisbane to be known as the San Francisco-Brisbane Municipal Utility District.

8/13/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

Referred as a committee report without recommendation.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 3:16 pm.

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

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NOTICE OF CANCELLED MEETING

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the meeting of the Rules Committee scheduled for Thursday September 6, 2001 at 1:00 p.m. at 1 Dr. Carlton B. Goodlett Place, Room 263, City Hall, San Francisco, California, has been **cancelled**.

Gloria L. Young, Clerk of the Board

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S.F. BOARD OF SUPERVISORS
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IMPORTANT HEARING NOTICE!!!

41 Library
100 Larkin Street Govt Information Center

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

CITY AND COUNTY OF SAN F

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

September 13, 2001

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SEP 19 2001

SAN FRANCISCO
PUBLIC LIBRARY

TO: Rules Committee

FROM: Budget Analyst

SUBJECT: September 20, 2001 Rules Committee Meeting

Item 1 - File 01-0940

Department: Public Library

Item: Ordinance amending the San Francisco Administrative Code by adding Chapter 22C to prohibit the use of Internet filtering or content blocking technology ("filtering software") on City-owned computers used as public Internet access terminals.

Description: According to Ms. Adine Varah of the City Attorney's Office, the proposed ordinance would amend the City's Administrative Code by adding Chapter 22C to:

- Prohibit the use of Internet filtering software on City-owned computers used as public Internet access terminals.
- Allow departments to make appropriation requests to the Board of Supervisors and the Mayor where compliance with the proposed ordinance would cause the department to lose Federal or State funding and where such loss of funding would, in turn, cause the department to substantially reduce the quality, quantity or availability of its services or operations.

According to Ms. Varah, the purpose of the proposed ordinance is to ensure that unfiltered access to information is available on the Internet through City-owned computers.

Comments:

1. Currently, the City's Administrative Code does not contain any provisions governing the use of filtering software on City-owned computers used as public Internet access terminals.

2. According to the City Librarian, Ms. Susan Hildreth as discussed in the Attachment, the Federal Children's Internet Protection Act (CIPA), enacted on April 20, 2001, requires public schools and libraries to use filtering software on all computers with Internet access if Federal funds are used to purchase such computers, pay for Internet access, Internet services or internal connections. Ms. Hildreth advises that such filtering software must be used even when the Internet is being accessed by adults or the Public Library staff. In the Attachment Ms. Hildreth advises that the American Library Association and the American Civil Liberties Union have each filed a lawsuit challenging the constitutionality of the library-related provisions of the Federal CIPA. Ms. Hildreth advises that this case will be heard in February of 2002.

3. According to Ms. Varah, under the San Francisco Public Library's current Internet Policy, the Public Library does not use filtering software and does not monitor or control the content of the material accessed through the Internet, whether by adults or children.

4. In the Attachment, Ms. Hildreth advises that the Federal CIPA requires filtering software on all computers with Internet access if Federal funds are used to purchase such computers, pay for Internet access, Internet services, or internal connections. Ms. Hildreth advises that non-compliance with the Federal CIPA and adherence to the proposed ordinance could put the Public Library at risk of losing (a) Federal telecommunications discounts (E-rate) for Internet connectivity services; and, (b) Federal Library Service

Technology Act (LSTA) grants specifically used to support computers with Internet access.

Ms. Hildreth indicates that as a result of non-compliance with the Federal CIPA, which would result if this ordinance is approved, the Public Library is at risk of losing the E-rate discount, which is approximately $20,000 annually. Ms. Hildreth advises that the Public Library's E-rate discount will not be affected in the current fiscal year as the Federal Communications Commission is in the process of developing regulations that would not be implemented until the City's FY 2002-2003. If the Public Library were to lose the E-rate discount next fiscal year, according to Ms. Hildreth, the Public Library would request additional funds from Proposition E[1] sources through the annual budget process to fully recover its Internet costs. Mr. Joseph Matranga from the Controller's Office states that since the Public Library already receives the amount of funds required by Proposition E, either additional General Fund revenues or Library expense reductions would be needed to cover the $20,000 in lost Internet subsidies.

Additionally, as a result of non-compliance with the Federal CIPA, the Public Library is at risk of losing the Federal Library Science Technology Awards (LSTA) specifically used to purchase computers, pay for Internet access, Internet services, or internal connections. However, Ms. Hildreth advises that in FY 2000-2001, the Public Library had $193,000 in LSTA grants, not all of which would be affected by the Federal CIPA. Ms. Hildreth further advises that these grants, which expire on September 30, 2001, support discretionary services rather than baseline services and therefore the Public Library would not seek supplemental funding to replace such LSTA funds if such LSTA funds were not continued to be awarded.

[1] The City Charter specifies that the Library Preservation Fund, approved by the voters as Proposition E in 1994, shall receive a portion of property tax revenues to augment Public Library services and a minimum (baseline) appropriation amount from the General Fund, and such required baselines are adjusted by annual changes in the City's General Fund discretionary revenues.

5. Ms. Varah advises that currently there is no State law similar to the Federal CIPA. Ms. Hildreth notes that a prior attempt to pass a State law similar to the Federal CIPA failed. However, the proposed ordinance includes language addressing the potential loss of State funding, because if the State were to approve a law similar to the Federal CIPA, State funding received by the Public Library could also be jeopardized. Ms. Hildreth advises that although the loss of such funds is speculative, the Public Library currently receives between $1.2 million and $1.3 million annually from the State Public Library Fund (PLF). Ms. Hildreth advises that the annual amount of such funds varies from year to year based on State appropriations from the PLF and on population changes. According to Mr. Matranga, the required baseline appropriation from the General Fund under Proposition E includes the State PLF revenue monies. Therefore, Mr. Matranga advises that any loss in State PLF revenue monies would need to be made up by the General Fund in order to maintain the baseline appropriation requirement for the Public Library under Proposition E.

Additionally, Ms. Hildreth advises that the Public Library receives telecommunication discounts pursuant to the State's Teleconnect Fund Program. These discounts are similar to the Federal E-rate discounts. Ms. Hildreth estimates that the annual value of these discounts is between $40,000 and $50,000. However, Ms. Hildreth speculates that, similar to the Federal E-rate Program, not all of these discounts would be excluded under State legislation that would require Internet filtering software.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors because the proposed ordinance mandates non-compliance with the Federal Children's Internet Protection Act (CIPA). Such non-compliance with the Federal CIPA could jeopardize Federal funding and subsidies to the San Francisco Public Library which, in turn, could lead to future General Fund requests from the Public Library to replace such lost Federal E-rate discounts (currently valued at approximately $20,000 annually).

Additionally, if a State law similar to the Federal CIPA is passed, the proposed ordinance could also jeopardize future State funding to the Public Library, currently estimated at between $1.2 million and $1.3 million annually.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Ben Rosenfield

San Francisco Public Library
100 Larkin Street, San Francisco, CA 94102

September 6, 2001

TO: Maureen Singleton, Budget Analyst
Budget Analyst's Office

FR: Susan Hildreth, City Librarian

RE: ORDINANCE 01-0940

In regard to proposed Ordinance 01-0940 (Leno) and at the request of the Budget Analyst the following information is provided.

The Federal Children's Internet Protection Act (CIPA), enacted on April 20, 2001, requires public schools and libraries to use filtering software on all computers with Internet access if Federal funds are used to purchase such computers, pay for Internet access, Internet service, or internal connections. The American Library Association (ALA) and the American Civil Liberties Union (ACLU) have filed a suit against the Federal Government, citing the CIPA legislation as unconstitutional. This case will be heard in the 9th Circuit Court in February 2002. However, as things stand now, non-compliance with CIPA will result in the loss of these Federal funds.

The Library's Internet Policy precludes the use of filtering software and the monitoring or control of content accessed through the Internet by patrons and staff. The proposed ordinance amends the San Francisco Administrative Code by adding Chapter 22C to prohibit the use of Internet filtering or content blocking technology ("filtering software") on City-owned computers used as public Internet access terminals. The proposed ordinance also allows departments to seek supplemental funding if compliance with the proposed ordinance results in the loss of Federal or State funding; and, if the loss of funding causes the department to substantially reduce the quality, quantity or availability of its services or operations. Federal funds received by the Library that will be affected by non-compliance with CIPA include Federal telecommunications discounts (E-rate) and Federal Library Service Technology Act (LSTA) grants specifically used to support computers with Internet access.

In regard to the Federal E-rate, the Library receives discounts for telecommunication services and for Internet connectivity services. Non-compliance with CIPA affects only discounts for Internet connectivity services. The Library would continue to receive discounts for telecommunication services under CIPA. In regard to telecommunication services, the Library currently receives discounts valued at $111,000[1]. Discounts are provided in the form of reduced charges passed on to the Library through DTIS by Pacific Bell. ***This funding would not be affected by CIPA or by compliance with the proposed ordinance.***

[1] Approximately $94,000 for lines and circuits and $17,000 for usage.

E-rate discounts related to Internet connectivity services however would be affected. In the current year, these discounts are estimated at $20,000 – $13,000 for our Internet service provider and $7,200 for two T-1 Internet lines. As with telecommunication service discounts, Internet service discounts are provided in the form of reduced charges passed on to the Library through DTIS by Pacific Bell and by Verio the Library's Internet service provider. Because the FCC has provided – for this first year that CIPA is in effect – a waiver for schools and libraries that have not yet implemented CIPA requirements, the Library is not in imminent danger of losing its E-rate discount this year. If the E-rate discount is lost next fiscal year, we would request additional funds through the annual baseline budget process from Proposition E sources to fully cover our telecommunication costs.

In regard to LSTA, the Library in FY 2000-01 applied for and received $193,000 in grants – not all of which would be affected by CIPA. These grants expire on September 30, 2001 and support discretionary rather than baseline services or programs. LSTA are non-recurring grants awarded annually on a competitive basis and the amount awarded varies depending on availability of funds and the number of projects funded. The Library would not seek supplemental funding to replace LSTA funds.

Finally, since the ordinance addresses the loss of State funds as well as Federal funds, it should be noted that CIPA does not affect State funds received by the Library. However, if the State were to pass a law similar to CIPA, State funding received by the Library could be jeopardized. Although the loss of these funds is speculative, the Library does receive between $1.2 million and $1.3 million annually from the State Public Library Fund (PLF). The annual amount received by the Library varies year to year based on State appropriations to the PLF and on changes in population (allocations are based on jurisdictional population). If the State enacted legislation similar to CIPA, it is possible that all or some PLF funding could be jeopardized. However, since the City treats State PLF monies as a General Fund revenue source, the loss of PLF would directly impact the City's General Fund but not General Fund appropriations made to the Library pursuant to Proposition E. Under Proposition E, the loss of PLF funds would not affect the Library's baseline allocations from the General Fund, as the Library's baseline is determined independent of General Fund revenue source. Under Proposition E, we believe that the City would be required to meet General Fund baseline allocations to the Library whether or not the State provides PLF monies to the Library.

Additionally, the Library receives telecommunication discounts pursuant to the State's Teleconnect Fund Program. These discounts are similar to Federal E-rate discounts. For some services, the State's discounts are on top of Federal discounts and in other cases, discounts are provided for services not covered by the Federal E-rate Program. The Library estimates the value of these discounts between $40,000 and $50,000 annually. However, similar to the Federal E-rate Program, we speculate that not all of these discounts would be excluded under State legislation that required filtering.

In summary, pending the outcome of the ALA and ACLU lawsuit, the Library could lose between $20,000 to $25,000 in Federal E-rate discounts and an unspecified amount of Federal LSTA funds. The Library would not seek supplemental funding to replace either. However, to ensure that its telecommunication costs were fully funded, the Library would seek to make up the funding gap resulting from the loss of Federal E-rate discounts through the baseline budget process. In regard to the potential loss of State funds, we believe that the loss of PLF is a revenue issue for the City and not a revenue or appropriation issue for the Library. We believe that General Fund allocations made to the Library pursuant to Proposition E are independent of whether or not the State provides PLF monies. In regard to the loss of State Teleconnect Fund monies, the Library would seek to make up the funding gap resulting from the loss of these discounts through the baseline budget process.

City and County of San Francisco
Meeting Minutes
Rules Committee

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, September 20, 2001 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

The meeting convened at 1:10 pm.

011607 **[Records Retention and Destruction Schedule]**

Motion approving the Board of Supervisors revised Records Retention Schedule and Records Retention and Destruction Policy retroactive to July 1, 2001 and authorizing the Clerk of the Board to adjust the schedule to increase retention periods and requiring Board approval for additions and/or reduction in retention periods. (Clerk of the Board)

9/6/01, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the September 20, 2001 meeting.

Heard in Committee. Speakers: Gloria L. Young, Clerk of the Board; Frank Darby, Records & Information Manager, Board of Supervisors; Maxwell Peltz, Deputy City Attorney.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010940 **[Internet Filtering]**

Supervisor Leno

Ordinance amending the San Francisco Administrative Code by adding Chapter 22C to prohibit the use of Internet filtering or content blocking technology ("filtering software") on City-owned computers used as public Internet access terminals.

(Supervisor Hall dissenting in Committee.)

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

Heard in Committee. Speakers: Supervisor Mark Leno; Debra Newman, Budget Analysts Office; Susan Hildreth, City Librarian; Adine Varah, Deputy City Attorney; Ann Brick, American Civil Liberties Union Foundation; Mary Minow; Will Doherty, Electronic Frontier Foundation; Rev. Joe Blantly; Peter Fatooh; Robert Asushi; Marc Soloman; Ronald Chun; Tony Bernardi; Tom Ramm.

RECOMMENDED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Noes: 1 - Hall

011588 **[City and School District Committee Off-Site Meetings]**

Supervisor Ammiano

Motion ordering the City and School District Committee meeting of the Board of Supervisors to be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on October 24, 2001 at 3:00 P.M., and again on November 14, 2001, and directing the Clerk of the Board to prepare the prior notices and postings.

8/27/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

To Board as a Committee Report, Monday, September 24, 2001.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010261 **[Appointment]**

Hearing to consider appointing three members to the Assessment Appeals Board No. 1.

3 Seat Being Considered:

Vacant seat, succeeding Peter Fatooh, seat 1, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004;

Vacant seat, succeeding Ermelinda Trevino, seat 3, resigned, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for the unexpired portion of a three-year term expiring September 2, 2002;

Vacant seat, succeeding Ronald Chun, seat 4, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004.

2/7/01, RECEIVED AND ASSIGNED to Rules Committee.

4/5/01, CONTINUED. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; John Devlin, Acting Administrator, Assessment Appeals Board; Thomas Ramm; Gilbert Criswell, Marilyn Cosentino; Davy Jones; Peter Fatooh, Commissioner, Assessment Appeals Board.

(Continued to May 17, 2001.)

5/17/01, CONTINUED TO CALL OF THE CHAIR. Supervisor Gonzalez requested that this item be continued to the call of the chair.

9/10/01, CLERICAL CORRECTION to Rules Committee. Seat 1 and 4 added due to expiration of term.

Heard in Committee. Speakers: Dawn Duran, Administrator, Assessment Appeals Board; Ronald Chun; Gloria L. Young, Clerk of the Board; Peter Fatooh; Maxwell Peltz, Deputy City Attorney; Lawrence Lee; Thomas Ramm; Mervin Conlan.

Seat 3 divided and continued to the call of the chair. See file 011718.

DIVIDED.

Hearing to consider appointing two members to the Assessment Appeals Board No. 1.

2 Seat Being Considered:

Vacant seat, succeeding Peter Fatooh, seat 1, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004;

Vacant seat, succeeding Ronald Chun, seat 4, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004.

Appointment of Peter Fatooh, seat 2, and Ronald Chun, seat 4, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Peter Fatooh and Ronald Chun, terms ending September 6, 2004, to the Assessment Appeals Board No. 1.

Peter Fatooh, succeeding himself, seat 1, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004; Ronald Chun, succeeding himself, seat 4, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004.

RECOMMENDED.. by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011718 **[Appointment]**

Hearing to consider appointing one member to the Assessment Appeals Board No. 1.

1 Seat Being Considered:
Vacant seat, succeeding Ermelinda Trevino, seat 3, resigned, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for the unexpired portion of a three-year term expiring September 2, 2002.

Divided from file 010261.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011625 **[Appointment]**

Hearing to consider appointing three members to the Assessment Appeals Board No. 2.

3 Seat Being Considered:
Vacant seat, succeeding Lawrence Lee, seat 2, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004;
Vacant seat, succeeding Irma Ramirez-Tom, seat 3, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004;
Vacant seat, succeeding Donald Schmidt, seat 4, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004.

9/10/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Donald Schmidt; Thomas Ramm.

Appointment of Lawrence Lee, seat 2, Mervin Conlan, seat 3, and Donald Schmidt, seat 4, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Lawrence Lee, Mervin Conlan, and Donald Schmidt, terms ending September 6, 2004, to the Assessment Appeals Board No. 2.

Lawrence Lee, succeeding himself, seat 2, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004; Mervin Conlan, succeeding Irma Ramirez-Tom, term expired, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004;
Donald Schmidt, succeeding himself, seat 4, term expired, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for a new three-year term expiring September 6, 2004.

RECOMMENDED.. by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011604 **[Appointment]**

Hearing to consider appointing seven members to the Drug Abuse Advisory Board.

7 Seats Being Considered:
Vacant seat, succeeding Vernon Grigg, seat 1, must represent law enforcement, for the unexpired portion of a three-year term ending October 1, 2003;
Vacant seat, succeeding Leon Winston, term expired, seat 3, must represent the public at large, for a new three-year term ending October 1, 2004;
Vacant seat, succeeding Mary Louise Adlo-Robi, term expired, seat 8, must represent the public at large, for a new three-year term ending October 1, 2004;
Vacant seat, succeeding Jackson Wong, term expired, seat 9, must represent the public at large, for a new three-year term ending October 1, 2004;
Vacant seat, succeeding Cedric Akbar, term expired, seat 10, must represent the public at large or a service provider, for a new three-year term ending October 1, 2004;
Vacant seat, succeeding Vanessa Padilla, term expired, seat 11, must represent the public at large, for a new three-year term ending October 1, 2004;
Vacant seat, succeeding Walter Joseph Kennedy, seat 15, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2003.

8/30/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speaker: Elizabeth Aguilar-Tarchi; Nick Roomel; Danita Manthis, Administrator, Drug Abuse Advisory Board; male.

Seat 9 and 15 divided and continued to the call of the chair. See file 011720.

DIVIDED.

Hearing to consider appointing five members to the Drug Abuse Advisory Board.

5 Seats Being Considered:
Vacant seat, succeeding Vernon Grigg, seat 1, must represent law enforcement, for the unexpired portion of a three-year term ending October 1, 2003;
Vacant seat, succeeding Leon Winston, term expired, seat 3, must represent the public at large, for a new three-year term ending October 1, 2004;
Vacant seat, succeeding Mary Louise Adlo-Robi, term expired, seat 8, must represent the public at large, for a new three-year term ending October 1, 2004;
Vacant seat, succeeding Cedric Akbar, term expired, seat 10, must represent the public at large or a service provider, for a new three-year term ending October 1, 2004;
Vacant seat, succeeding Vanessa Padilla, term expired, seat 11, must represent the public at large, for a new three-year term ending October 1, 2004.

Appointment of Elizabeth Aguilar-Tarchi, seat 1, Duru Earnest Chidi, seat 3, Nick Roomel, seat 8, Cedric Akbar, seat 10, and Vanessa Padilla, seat 11, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Elizabeth Aguilar-Tarchi, term ending October 1, 2003, and Duru Earnest Chidi, Nick Roomel, Cedric Akbar, and Vanessa Padilla, terms ending October 1, 2004, to the Drug Abuse Advisory Board, residency requirement waived.

Elizabeth Aguilar-Tarchi, succeeding Vernon Grigg, seat 1, must represent law enforcement, for the unexpired portion of a three-year term ending October 1, 2003;
Duru Earnest Chidi, succeeding Leon Winston, term expired, seat 3, must represent the public at large, for a new three-year term ending October 1, 2004;
Nick Roomel, succeeding Mary Louise Adlo-Robi, term expired, seat 8, must represent the public at large, for a new three-year term ending October 1, 2004;
Cedric Akbar, succeeding himself, term expired, seat 10, must represent the public at large or a service provider, for a new three-year term ending October 1, 2004;
Vanessa Padilla (residency requirement waived), succeeding herself, term expired, seat 11, must represent the public at large, for a new three-year term ending October 1, 2004.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011720 [Appointment]
Hearing to consider two appointments to the Drug Abuse Advisory Board.

2 Seats Being Considered:
Vacant seat, succeeding Jackson Wong, term expired, seat 9, must represent the public at large, for a new three-year term ending October 1, 2004;
Vacant seat, succeeding Walter Joseph Kennedy, seat 15, must represent the public at large, for the unexpired portion of a three-year term ending October 1 2003.

Divided from file 011604.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011402 **[Appointment]**

Hearing to consider appointing fifteen members to the Emergency Room Diversion Task Force.

15 Seats Being Considered:
Vacant seat, new position, seat 1, must be an emergency room physician from a non-profit health maintenance, term to be determined;
Vacant seat, new position, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Vacant seat, new position, seat 3, must be an emergency room physician from the San Francisco General Hospital, term to be determined;
Vacant seat, new position, seat 4, must be a nurse manager from a community hospital, term to be determined;
Vacant seat, new position, seat 5, must be a nurse manager from a community hospital, term to be determined;
Vacant seat, new position, seat 6, must be a primary care specialist physician from the San Francisco General Hospital, term to be determined;
Vacant seat, new position, seat 7, must represent the Hospital Council, term to be determined;
Vacant seat, new position, seat 8, must be a representative of the San Francisco Medical Society, term to be determined;
Vacant seat, new position, seat 9, must be a representative of the San Francisco Police Department, term to be determined;
Vacant seat, new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined;
Vacant seat, new position, seat 11, must represent a community based organization that serves the homeless and/or uninsured population, term to be determined;
Vacant seat, new position, seat 12, must represent a community based organization that serves the homeless and/or uninsured population, term to be determined;
Vacant seat, new position, seat 13, must be a representative of the Community Substance Abuse Services, term to be determined;
Vacant seat, new position, seat 14, must represent labor, term to be determined;
Vacant seat, new position, seat 15, must represent labor, term to be determined.

7/26/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ronald Smith; Catherine Garza, aide to Supervisor Newsom.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011605 **[Appointment]**

Hearing to consider appointing five members to the Golden Gate Park Stables Working Group.

5 Seats Being Considered:
Vacant seat, new position, seat 1, must currently board a horse at the Golden Gate Park stables, term to be determined;
Vacant seat, new position, seat 2, must have a background in, and experience with, boarding horses and/or managing a boarding facility, term to be determined;
Vacant seat, new position, seat 3, must have experience in equestrian competition or have previously taught equestrian riding, term to be determined;
Vacant seat, new position, seat 4, must be a licensed veterinarian, who specializes in the medical treatment of horses, term to be determined;
Vacant seat, new position, seat 5, must be a representative from the Recreation and Park Department, term to be determined.

8/30/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Gary Hanes; Susan Jacklyn Lombardi; Ruth Bing Dilts.

Continued to September 27, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010463 **[Surplus Property for Housing]**

Supervisor Ammiano

Hearing on the use of federal, state, and local surplus property for much-needed housing as intended under the Federal McKinney Act, State Law SB-120 1992, and possible local legislation.

3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.
8/30/01, TRANSFERRED to Rules Committee.

Continued to September 27, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010464 **[Self-managed Shelters]**

Supervisor Ammiano

Hearing on Self-managed Shelters, a small, efficient and neighborhood-based means of providing essential services to our homeless population.

3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.
8/30/01, TRANSFERRED to Rules Committee.

Continued to September 27, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010844 **[Storage Container Removal and Storage]**

Supervisors Ammiano, Gonzalez

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1415 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

(Supervisor Hall dissenting in committee.)

5/7/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

6/19/01, CONTINUED TO CALL OF THE CHAIR.

6/23/01, TRANSFERRED to Rules Committee.

7/3/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Mara Raider, Coalition on Homelessness; Ed Lee, Director, Public Works; Mohammed Nuru, Deputy Director, Public Works; Elizabeth Goldstein, Recreation and Parks; Commander Bruce, Police Dept.; Maya Nordberg; David Greenburg, Deputy City Attorney; Tonya; Father Louis Vitale; Ron Rutger; Jim Haber; Gail Gilman; Keith Savage; Mary Kate Cobber; Paul Boden; Julie Wong; Kathleen Gray; Ellis Wilson; Joshua Walters; Gail Hanigman; Mathew Tem; Altons Conney; George Smith, Director, Mayors Office of Homelessness. Amendment of the whole bearing a new titile.

7/3/01, RECOMMENDED AS AMENDED.

7/9/01, RE-REFERRED. President Ammiano moved to rerefer to the Rules Committee.

Heard in Committee. Speakers: Maxwell Peltz, Deputy City Attorney; Elizabeth Goldstein, Recreation and Parks; male; female; Ed Lee, Director, Public Works; Hether Fong, Police Department; Sharlet Rivers; Patric Henan; Mata Nevita; Lim Hermito; Jennifer Linenbach; Cathlene Gray.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Divided to create an additional file that contains proposed amendments. See file No. 011673.

DIVIDED.

Continued to September 27, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011673 **[Storage Container Removal and Storage]**

Supervisor Ammiano

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1416 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

Divided from file No. 010844. Continued to September 27, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011461 **[Access to Health and Social Services by the Homeless]**

Supervisor Ammiano

Hearing regarding timely access to health and social services by persons who are homeless.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the September 20, 2001 meeting.

Continued to September 27, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 6:03 pm.

[All Committees]
Government Document Section
Main Library

City and County of San
Meeting Minu
Rules Commi

City Hall
1 Dr. Carlton B.
Goodlett Place
Francisco, CA
89

Members: Supervisors Matt Gonzalez, T

Clerk: Victor Young

Thursday, September 27, 2001 **10:00 AM** **City ... oom 263**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

DOCUMENTS DEPT.
OCT - 5 2001
SAN FRANCISCO
PUBLIC LIBRARY

Meeting Convened

The meeting convened at 10:13 am.

011605 **[Appointment]**
Hearing to consider appointing five members to the Golden Gate Park Stables Working Group.

5 Seats Being Considered:
Vacant seat, new position, seat 1, must currently board a horse at the Golden Gate Park stables, term to be determined;
Vacant seat, new position, seat 2, must have a background in, and experience with, boarding horses and/or managing a boarding facility, term to be determined;
Vacant seat, new position, seat 3, must have experience in equestrian competition or have previously taught equestrian riding, term to be determined;
Vacant seat, new position, seat 4, must be a licensed veterinarian, who specializes in the medical treatment of horses, term to be determined;
Vacant seat, new position, seat 5, must be a representative from the Recreation and Park Department, term to be determined.
8/30/01. RECEIVED AND ASSIGNED to Rules Committee.
9/20/01. CONTINUED. Heard in Committee. Speakers: Gary Hanes; Susan Jacklyn Lombardi; Ruth Bing Dilts.

Continued to September 27, 2001.

Heard in Committee. Speakers: Illene Roddie speaking on behalf of Carol Gallagher; Linda Rubio; Diana Dougherty; Robert Dougherty; Katherine Black; Margaret Damir; Darcy Brown; Rachel Arnstine; Alexander Calhoun; John Farley; Jill Eyres; Elizabeth Goldstein, General Manager, Recreation and Park Department; Ted Lakey, Deputy City Attorney; Mary Tiscornia.

Appointment of Susan Jacklyn Lombardi, seat 1, Katherine Black, seat 2, Rachel Arnstine, seat 3, Gary Hanes, seat 4, and John Farley, seat 5, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Susan Jacklyn Lombardi, Katherine Black, Rachel Arnstine, Gary Hanes, and John Farley, terms to be determined, to the Golden Gate Park Stables Working Group.

Susan Jacklyn Lombardi, new position, seat 1, must currently board a horse at the Golden Gate Park stables, term to be determined;
Katherine Black, new position, seat 2, must have a background in, and experience with, boarding horses and/or managing a boarding facility, term to be determined;
Rachel Arnstine, new position, seat 3, must have experience in equestrian competition or have previously taught equestrian riding, term to be determined;
Gary Hanes, new position, seat 4, must be a licensed veterinarian, who specializes in the medical treatment of horses, term to be determined;
John Farley, new position, seat 5, must be a representative from the Recreation and Park Department, term to be determined.

RECOMMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010844 **[Storage Container Removal and Storage]**

Supervisors Ammiano, Gonzalez

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1415 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

5/7/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

6/19/01, CONTINUED TO CALL OF THE CHAIR.

6/23/01, TRANSFERRED to Rules Committee.

7/3/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Mara Raider, Coalition on Homelessness; Ed Lee, Director, Public Works; Mohammed Nuru, Deputy Director, Public Works; Elizabeth Goldstein, Recreation and Parks; Commander Bruce, Police Dept.; Maya Nordberg; David Greenburg. Deputy City Attorney; Tonya; Father Louis Vitale; Ron Rutger; Jim Haber; Gail Gilman; Keith Savage; Mary Kate Cobber: Paul Boden; Julie Wong; Kathleen Gray; Ellis Wilson; Joshua Walters; Gail Hanigman; Mathew Tem; Altons Conney; George Smith, Director, Mayors Office of Homelessness. Amendment of the whole bearing a new titile.

7/3/01, RECOMMENDED AS AMENDED.

7/9/01, RE-REFERRED. President Ammiano moved to rerefer to the Rules Committee.

9/20/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Maxwell Peltz, Deputy City Attorney; Elizabeth Goldstein, Recreation and Parks; male; female; Ed Lee, Director, Public Works; Hether Fong, Police Department; Sharlet Rivers; Patric Henan; Mata Nevita; Lim Hermito; Jennifer Linenbach; Cathlene Gray.

9/20/01. DIVIDED. Divided to create an additional file that contains proposed amendments. See file No. 011673.

9/20/01, CONTINUED. Continued to September 27, 2001.

Heard in Committee. Speakers: Elizabeth Goldstein, General Manager, Recreation and Park Department; Dan McKenna, Recreation and Park Department; John Lelan, Coalition on Homelessness; Cathlene Gray, Coalition on Homelessness; Ted Lakey, Deputy City Attorney; George Smith, Mayor's Office of Homelessness; Ed Lee, Director, Department of Public Works; Morrine Sullivan; Bill DeAchia; Mara Raider; Susan Eslick.

Continued to October 5, 2001.

CONTINUED by the following vote:
Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011673 [Storage Container Removal and Storage]

Supervisor Ammiano

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1416 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

9/20/01, CONTINUED. Divided from file No. 010844. Continued to September 27, 2001.

9/21/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Elizabeth Goldstein, General Manager, Recreation and Park Department; Dan McKenna, Recreation and Park Department; John Lelan, Coalition on Homelessness; Cathlene Gray, Coalition on Homelessness; Ted Lakey, Deputy City Attorney; George Smith, Mayor's Office of Homelessness; Ed Lee, Director, Department of Public Works; Morrine Sullivan; Bill DeAchia; Mara Raider; Susan Eslick.

Continued to October 5, 2001.

CONTINUED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

010463 [Surplus Property for Housing]

Supervisor Ammiano

Hearing on the use of federal, state, and local surplus property for much-needed housing as intended under the Federal McKinney Act, State Law SB-120 1992, and possible local legislation.

3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

8/30/01, TRANSFERRED to Rules Committee.

9/20/01, CONTINUED. Continued to September 27, 2001.

Continued to October 5, 2001.

CONTINUED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

010464 [Self-managed Shelters]

Supervisor Ammiano

Hearing on Self-managed Shelters, a small, efficient and neighborhood-based means of providing essential services to our homeless population.

3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

8/30/01, TRANSFERRED to Rules Committee.

9/20/01, CONTINUED. Continued to September 27, 2001.

Continued to October 5, 2001.

CONTINUED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

011461 **[Access to Health and Social Services by the Homeless]**

Supervisor Ammiano

Hearing regarding timely access to health and social services by persons who are homeless.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the September 20, 2001 meeting.

9/20/01, CONTINUED. Continued to September 27, 2001.

Continued to October 5, 2001.

CONTINUED by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Absent: 1 - Hall

ADJOURNMENT

The meeting adjourned at12:57 pm.

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

September 27, 2001

TO: Rules Committee

FROM: Budget Analyst

SUBJECT: October 4, 2001 Rules Committee Meeting

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Item 4 - File 01-0619

Department: Health Service System

Item: Ordinance amending Chapter 16, Article XV, of Part I of the San Francisco Administrative Code by amending Section 16.700 and 16.701, regarding commissioners and board members of the City and County of San Francisco.

Description: Under the current provisions of Sections 16.700 and 16.701, board and commission members are eligible to participate in the Health Service System only during their time of service to the City and County of San Francisco. Upon completion of service, they are no longer eligible to participate in the Health Service System. The proposed ordinance would amend Chapter 16, Article XV, of Part I of the San Francisco Administrative Code by amending Section 16.700 and 16.701 to enable commission and board members with at least three years of service, the ability to remain in the City's Health Service System at their own cost upon termination of their membership on that board or commission. Additionally, the proposed ordinance would permit eligible dependents of the former board or commission members to remain in the Health Services System, also at a cost to the former board or commission member.

Comments:

1. According to Ms. Yvonne Hudson, of the Health Service System, since the cost of participation in the City's Health Service System would be paid by the individual former board or commission member, the proposed ordinance would not result in any additional cost to the City.

2. Ms. Rebecca Saroyan, of the City Attorney's Office notes that the City is not legally bound by the City's Charter provisions to provide this continuation of benefits. However, Ms. Saroyan notes that the City does not incur any additional liability by providing the proposed benefit to former board or commission members.

3. Ms. Saroyan states that former board and commission members would pay the COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985[1]) rate for health coverage. Ms. Saroyan notes further that the COBRA rate plus an additional two percent in administrative fees should offset the City's overhead expenses and plan administration.

4. Ms. Saroyan notes that the new benefit would be administered by the Health Service System and not by the City's COBRA administrator. According to Ms. Hudson, the Health Service System is administering the new health coverage benefit because COBRA is only available to full-time employees and the former board members and commissioners do not qualify as full-time employees.

Recommendation: Approve the proposed ordinance.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Ben Rosenfield

[1] A Federal law that provides a bridge between health plans for qualified workers, their spouses, and eligible dependents when their health insurance might otherwise be cut off. Typically, eligible participants in COBRA are covered for 18 months and their dependents can be covered for 36 months.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, October 04, 2001 **12:00 PM** **Legislative Chambers - Second Floor**

Rescheduled Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 12:08 pm.

011603 **[Appointment]**
Hearing to consider appointing six members to the Citizens Advisory Committee on Elections. (Clerk of the Board)

6 Seats Being Considered:
Vacant Seat, new position, seat 1, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);
Vacant Seat, new position, seat 2, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);
Vacant Seat, new position, seat 3, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing);
Vacant Seat, new position, seat 4, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing);
Vacant Seat, new position, seat 5, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing);
Vacant Seat, new position, seat 6, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).
8/30/01. RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Richard Charles Shadoian; Ted Lakey, Deputy City Attorney; Doug Comstock, Coalition for San Francisco Neighborhoods; Barbara Meskunas; Sharon Bretz; Melissa Dodd; Karen Oleson; Vito Corcia; Caleb Kleppner; Chris Bowman; Charlie Marsteller; Lloyd Sleggal; Gloria L. Young, Clerk of the Board.

Seat 5 and 6 divided and continued to the call of the chair. See file 011826.
DIVIDED.

Hearing to consider appointing four members to the Citizens Advisory Committee on Elections. (Clerk of the Board)

4 Seats Being Considered:
Vacant Seat, new position, seat 1, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);
Vacant Seat, new position, seat 2, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);
Vacant Seat, new position, seat 3, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing);
Vacant Seat, new position, seat 4, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

Appointment of Richard Charles Shadoian, seat 1, Barbara Meskunas, seat 2, Vito Corcia, seat 3, and Melissa Dodd, seat 4, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Richard Charles Shadoian, Barbara Meskunas, Vito Corcia, and Melissa Dodd, terms to be determined, to the Citizens Advisory Committee on Elections. (Clerk of the Board)

Richard Charles Shadoian, new position, seat 1, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);
Barbara Meskunas, new position, seat 2, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections (must also be nominated by a citizens group interested in civic participation and/or fair elections), for a new four-year term (ending date to be determined via drawing);
Vito Corcia, new position, seat 3, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing);
Melissa Dodd, new position, seat 4, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011826 **[Appointment]**

Hearing to consider appointning two members to the Citizens Advisory Committee on Elections.

2 Seats Being Considered:
Vacant Seat, new position, seat 5, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing);
Vacant Seat, new position, seat 6, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

Divided from file 011603.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011477 **[Amending Agreement with Budget Analyst - Performance Audit]**

Supervisor McGoldrick

Motion amending the Agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Accountancy Corporation Certified Public Accountants, and Louie & Wong LLP Certified Public Accountants ("A Joint Venture" to provide for an expanded level of Budget Analyst services during Fiscal Year 2001-2002 to conduct a performance audit of the Planning Department.

8/6/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
8/13/01. REFERRED to Rules Committee.

Heard in Committee. Speakers: Supervisor Jake McGoldrick; Ken Bruce, Budget Analyst Office; John Bardis; Ted Lakey, Deputy City Attorney.

Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion amending the Agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Accountancy Corporation Certified Public Accountants, and Louie & Wong LLP Certified Public Accountants "A Joint Venture" to provide for an expanded level of Budget Analyst services during Fiscal Year 2001-2002 to conduct a performance audit of the Planning Department, to be completed by April 15, 2002.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011479 **[Amendment to Budget Analyst Contract to Exercise Two-Year Option]**

Motion approving exercising the second option set forth in the agreement for professional budget analyst services between the Board of Supervisors and Stanton W. Jones and Associates/Debra A. Newman/Rodriguez, Perez, Delgado & Company Certified Public Accountants/Harvey M. Rose Accountancy Corporation Certified Public Accounts/Louie & Wong LLP Certified Public Accountants - a Joint Venture, to extend the term of the Agreement from January 1, 2002 to December 31, 2003. (Clerk of the Board)

8/6/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Gloria L. Young, Clerk of the Board; John Bardis; Ken Bruce, Budget Analyst Office.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010619 **[Health Service System]**

Supervisor Leno

Ordinance amending Chapter 16, Article XV, of Part I of the San Francisco Administrative Code by amending Sections 16.700 and 16.701, regarding commissioners and board members of the City and County of San Francisco.

4/9/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 5/9/2001.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011417 **[Recommendations of the 2000-01 Civil Grand Jury]**

Supervisor Ammiano

Hearing to consider the recommendations of the 2000-2001 Civil Grand Jury.

7/30/01, RECEIVED AND ASSIGNED to Rules Committee.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011420 **[2000-2001 Civil Grand Jury Report on Litter and Graffiti]**

Supervisor Leno

Hearing to review the 2000-2001 San Francisco Civil Grand Jury report on litter and graffiti.

7/30/01, RECEIVED AND ASSIGNED to Rules Committee.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011169 [Jazz Preservation District]

Supervisor Gonzalez

Hearing to consider the Jazz Preservation District concept in San Francisco's Western Addition neighborhood and the San Francisco Redevelopment Agency's plans for issuing a Request for Proposals for agency Parcel No. 732-A.

6/18/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

7/25/01, TRANSFERRED to Rules Committee.

8/2/01, CONTINUED.

Continued to October 15, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011728 [Nomination of County Veterans Service Officer]

Resolution confirming the nomination of Lt. Col. Wallace Levin, CSMR (Ret.) as County Veterans Service Officer. (Adult and Aging Services)

9/26/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Lt. Col. Wallace Levin.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011674 [Appointment]

Hearing to consider appointing one member to the Mental Health Board.

Vacant seat, succeeding Sue Bierman, seat 17, must be a member of the Board of Supervisors, for a new two year term ending January 31, 2003.

9/21/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

Appointment of Supervisor Aaron Peskin, seat 17, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Supervisor Aaron Peskin, term ending January 31, 2003, to the Mental Health Board.

Supervisor Aaron Peskin, succeeding Sue Bierman, seat 17, must be a member of the Board of Supervisors, for a new two year term ending January 31, 2003.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011711 [Appointment]

Resolution appointing Supervisor Leland Yee, term ending November 28, 2002, as a member to the California State Association of Counties Board of Directors.

9/24/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011712 **[Appointment]**

Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2002, as an alternate member to the California State Association of Counties Board of Directors.

9/24/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011510 **[Joy and Brewster Street Development]**

Supervisor Ammiano

Hearing on behalf of residents of Joy and the Brewster Street corridor in Bernal Heights regarding the general development that has occurred in that area.

8/13/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.

8/30/01, TRANSFERRED to Rules Committee.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

Special Order - 4:00 PM

011371 **[Idriss Stelley]**

Supervisor Ammiano

Hearing to investigate the circumstances around the shooting of Mr. Idriss Stelley, who was shot on June 13, 2001 at the San Francisco Sony Metreon.

7/23/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Samantha Liapes, Director, Bay Area Police Watch; Marykate Conner, Executive Director, Caduceus Outreach Services; Misha Monge-Irizarry; Summer Galbreath; Leroy, Community Poetry; female, Community Poetry; Mari Villalma, Commissioner, Youth Commission; male; Soffie Broddie; Carol Patterson, Mayor's Disability Council; Manuel Vasquez, Mental Health Professional; George Tirada, Coalition on Homelessness; Leroy Moore, Disability Advocate Minority Organization; female; Darren Lewis; Kelly Welsh, Coleman Advocates for Youth; Joshua Kaufman; Bruce Windrem; male; G. E. McClinton; Patricia Ann Robinson; Wendy Peltz; Marc Salomon; male; Ith Myer.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 6:03 pm.

City and County of San Francisco
Meeting Minutes
Rules Committee

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Friday, October 05, 2001 **10:00 AM** **City Hall, Room 263**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 10:15 am.

010463 **[Surplus Property for Housing]**

Supervisor Ammiano

Hearing on the use of federal, state, and local surplus property for much-needed housing as intended under the Federal McKinney Act, State Law SB-120 1992, and possible local legislation.

3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.
8/30/01, TRANSFERRED to Rules Committee.
9/20/01, CONTINUED. Continued to September 27, 2001.
9/27/01, CONTINUED. Continued to October 5, 2001.

Heard in Committee. Speakers: John Myan.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010464 **[Self-managed Shelters]**

Supervisor Ammiano

Hearing on Self-managed Shelters, a small, efficient and neighborhood-based means of providing essential services to our homeless population.

3/12/01, RECEIVED AND ASSIGNED to Housing, Transportation and Land Use Committee.
8/30/01, TRANSFERRED to Rules Committee.
9/20/01. CONTINUED. Continued to September 27, 2001.
9/27/01, CONTINUED. Continued to October 5, 2001.

Heard in Committee. Speakers: Arthur Evans; John Myan; Katie Hall; Michelle Marsulo.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011461 [Access to Health and Social Services by the Homeless]

Supervisor Ammiano

Hearing regarding timely access to health and social services by persons who are homeless.

8/6/01, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the September 20, 2001 meeting.

9/20/01, CONTINUED. Continued to September 27, 2001.

9/27/01, CONTINUED. Continued to October 5, 2001.

Heard in Committee. Speakers: Charles Morimoto, Department of Public Health; Mara Raider; Mr. Concuda.

FILED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010844 [Storage Container Removal and Storage]

Supervisors Ammiano, Gonzalez

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1415 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

5/7/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

6/19/01, CONTINUED TO CALL OF THE CHAIR.

6/23/01, TRANSFERRED to Rules Committee.

7/3/01. AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Mara Raider, Coalition on Homelessness; Ed Lee, Director, Public Works; Mohammed Nuru, Deputy Director, Public Works; Elizabeth Goldstein, Recreation and Parks; Commander Bruce, Police Dept.; Maya Nordberg; David Greenburg, Deputy City Attorney; Tonya; Father Louis Vitale; Ron Rutger; Jim Haber; Gail Gilman; Keith Savage; Mary Kate Cobber; Paul Boden; Julie Wong; Kathleen Gray; Ellis Wilson; Joshua Walters; Gail Hanigman; Mathew Tem; Altons Conney; George Smith, Director, Mayors Office of Homelessness. Amendment of the whole bearing a new titile.

7/3/01, RECOMMENDED AS AMENDED.

7/9/01, RE-REFERRED. President Ammiano moved to rerefer to the Rules Committee.

9/20/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Maxwell Peltz, Deputy City Attorney; Elizabeth Goldstein, Recreation and Parks; male; female; Ed Lee, Director, Public Works; Hether Fong, Police Department; Sharlet Rivers; Patric Henan; Mata Nevita; Lim Hermito; Jennifer Linenbach; Cathlene Gray.

9/20/01, DIVIDED. Divided to create an additional file that contains proposed amendments. See file No. 011673.

9/20/01, CONTINUED. Continued to September 27, 2001.

9/27/01, CONTINUED. Heard in Committee. Speakers: Elizabeth Goldstein, General Manager. Recreation and Park Department; Dan McKenna, Recreation and Park Department; John Lelan, Coalition on Homelessness; Cathlene Gray. Coalition on Homelessness; Ted Lakey. Deputy City Attorney; George Smith, Mayor's Office of Homelessness; Ed Lee, Director, Department of Public Works; Morrine Sullivan; Bill DeAchia; Mara Raider; Susan Eslick.

Continued to October 5, 2001.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Kathleen Harrington, Golden Gate Restaurant Association; Karen Cronnie; Steven Currier; Emiliano Aviles, Coalition on Homelessness; John Viola, Coalition on Homelessness; Mara Raider, Coalition on Homelessness; George Smith, Director, Mayor's Office on Homelessness; Marc Salomon; male; Cathlene Gray; Steve Cochrell; Dan McKenna, Recreation and Parks Department.

Continued to October 18, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011673 **[Storage Container Removal and Storage]**

Supervisor Ammiano

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1416 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

9/20/01, CONTINUED. Divided from file No. 010844. Continued to September 27, 2001.

9/21/01, RECEIVED AND ASSIGNED to Rules Committee.

9/27/01, CONTINUED. Heard in Committee. Speakers: Elizabeth Goldstein, General Manager, Recreation and Park Department; Dan McKenna, Recreation and Park Department; John Lelan, Coalition on Homelessness; Cathlene Gray, Coalition on Homelessness; Ted Lakey, Deputy City Attorney; George Smith, Mayor's Office of Homelessness; Ed Lee, Director, Department of Public Works; Morrine Sullivan; Bill DeAchia; Mara Raider; Susan Eslick.

Continued to October 5, 2001.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Kathleen Harrington, Golden Gate Restaurant Association; Karen Cronnie; Steven Currier; Emiliano Aviles, Coalition on Homelessness; John Viola, Coalition on Homelessness; Mara Raider, Coalition on Homelessness; George Smith, Director, Mayor's Office on Homelessness; Marc Salomon; male; Cathlene Gray; Steve Cochrell; Dan McKenna, Recreation and Parks Department.

Continued to October 18, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 12:58 pm.

Government Document Section
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City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Monday, October 15, 2001 | **9:00 AM** | **City Hall, Room 263**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

DOCUMENTS DEPT.
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SAN FRANCISCO
PUBLIC LIBRARY

Meeting Convened

The meeting convened at 9:06 am.

011169 **[Jazz Preservation District]**

Supervisor Gonzalez

Hearing to consider the Jazz Preservation District concept in San Francisco's Western Addition neighborhood and the San Francisco Redevelopment Agency's plans for issuing a Request for Proposals for agency Parcel No. 732-A.

6/18/01, RECEIVED AND ASSIGNED to Housing. Transportation and Land Use Committee.
7/25/01, TRANSFERRED to Rules Committee.
8/2/01, CONTINUED.
10/4/01, CONTINUED Continued to October 15, 2001.

Heard in Committee. Speakers: Marcia Rosen, Executive Director, Redevelopment Agency; Ricky Tijani, Redevelopment Agency; Mary Rogers; Edsie Collin; Carmen Johnson; Wade Woods; John Bardis.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 10:14 am.

[All Committees]
Government Document Section
Main Library

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, October 18, 2001 | **9:30 AM** | **City Hall, Room 263**

Rescheduled Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

DOCUMENTS DEPT.
OCT 31 2001
SAN FRANCISCO
PUBLIC LIBRARY

Meeting Convened

The meeting convened at 9:37 am.

010844 **[Storage Container Removal and Storage]**

Supervisors Ammiano, Gonzalez

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1415 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

5/7/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

6/19/01, CONTINUED TO CALL OF THE CHAIR.

6/23/01, TRANSFERRED to Rules Committee.

7/3/01, AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Mara Raider, Coalition on Homelessness; Ed Lee, Director, Public Works; Mohammed Nuru, Deputy Director, Public Works; Elizabeth Goldstein, Recreation and Parks; Commander Bruce, Police Dept.; Maya Nordberg; David Greenburg, Deputy City Attorney; Tonya; Father Louis Vitale; Ron Rutger; Jim Haber; Gail Gilman; Keith Savage; Mary Kate Cobber; Paul Boden; Julie Wong; Kathleen Gray; Ellis Wilson; Joshua Walters; Gail Hanigman; Mathew Tem; Altons Conney; George Smith, Director, Mayors Office of Homelessness. Amendment of the whole bearing a new titile.

7/3/01, RECOMMENDED AS AMENDED.

7/9/01, RE-REFERRED. President Ammiano moved to rerefer to the Rules Committee.

9/20/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Maxwell Peltz, Deputy City Attorney; Elizabeth Goldstein, Recreation and Parks; male; female; Ed Lee, Director, Public Works; Hether Fong, Police Department; Sharlet Rivers; Patric Henan; Mata Nevita; Lim Hermito; Jennifer Linenbach; Cathlene Gray.

9/20/01, DIVIDED. Divided to create an additional file that contains proposed amendments. See file No. 011673.

9/20/01, CONTINUED. Continued to September 27, 2001.

9/27/01, CONTINUED. Heard in Committee. Speakers: Elizabeth Goldstein, General Manager, Recreation and Park Department, Dan McKenna, Recreation and Park Department; John Lelan, Coalition on Homelessness; Cathlene Gray, Coalition on Homelessness; Ted Lakey, Deputy City Attorney; George Smith, Mayor's Office of Homelessness; Ed Lee, Director, Department of Public Works; Morrine Sullivan; Bill DeAchia; Mara Raider; Susan Eslick.

Continued to October 5, 2001.

10/5/01. CONTINUED. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Kathleen Harrington, Golden Gate Restaurant Association; Karen Cronnie; Steven Currier; Emiliano Aviles, Coalition on Homelessness; John Viola, Coalition on Homelessness; Mara Raider, Coalition on Homelessness; George Smith, Director, Mayor's Office on Homelessness; Marc Salomon; male; Cathlene Gray; Steve Cochrell; Dan McKenna, Recreation and Parks Department.

Continued to October 18, 2001.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1416 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 2 - Gonzalez, Ammiano
Noes: 1 - Hall

011673 **[Storage Container Removal and Storage]**

Supervisor Ammiano

Ordinance amending the San Francisco Public Works Code by adding Sections 1407-1416 to create procedures for the removal of personal property and storage containers from public and private property and for the storage of property and encouraging City departments to create additional free storage facilities.

9/20/01. CONTINUED. Divided from file No. 010844. Continued to September 27, 2001.

9/21/01, RECEIVED AND ASSIGNED to Rules Committee.

9/27/01. CONTINUED. Heard in Committee. Speakers: Elizabeth Goldstein. General Manager, Recreation and Park Department: Dan McKenna, Recreation and Park Department; John Lelan, Coalition on Homelessness; Cathlene Gray, Coalition on Homelessness: Ted Lakey, Deputy City Attorney; George Smith, Mayor's Office of Homelessness; Ed Lee, Director. Department of Public Works; Morrine Sullivan; Bill DeAchia; Mara Raider; Susan Eslick.

Continued to October 5, 2001.

10/5/01. CONTINUED. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Kathleen Harrington, Golden Gate Restaurant Association; Karen Cronnie; Steven Currier; Emiliano Aviles, Coalition on Homelessness; John Viola, Coalition on Homelessness; Mara Raider, Coalition on Homelessness; George Smith, Director, Mayor's Office on Homelessness; Marc Salomon; male; Cathlene Gray; Steve Cochrell; Dan McKenna, Recreation and Parks Department.

Continued to October 18, 2001.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010518 **[Appointment]**
Hearing to consider appointing seventeen members to the Lead Poisoning Prevention Citizens Advisory Committee.

17 Seats Being Considered:
Vacant seat, succeeding Francisco Casique, resigned, seat 3, must represent a tenant organization, for the unexpired portion of a four-year term ending August 20, 2003;
Vacant seat, succeeding Tan Chow, term expired, seat 4, must represent a tenant organization, for a new four-year term ending August 20, 2005:
Vacant seat, succeeding Richard McGuire, term expired, seat 6, must represent the Housing Authority, for the unexpired portion of a four-year term ending August 20, 2003;
Vacant seat, succeeding Maggie Davis-Badger, term expired, seat 7, must represent the Mayor's Office of Housing and Child Care, for a new four term ending August 20, 2005;
Vacant seat, succeeding James Threat, term expired, seat 8, must represent the Recreation and Park Department, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Stacey Samek, term expired, seat 9, must represent the San Francisco Unified School District, for the a new four-year term ending August 20, 2005;
Vacant seat, succeeding Dianne Velleno, term expired, seat 10, must have expertise in State preschools, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Jean Wright, term expired, seat 11, must have expertise in residential multi-dwellings, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Giulio Sorro, term expired, seat 12, must have expertise in affordable housing, for the unexpired portion of a four-year term ending August 20, 2003;
Vacant seat, succeeding Michelle Horneff, term expired, seat 14, must have expertise in real estate, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Octavia Jolley, term expired, seat 15, must have expertise in environmental matters, for a new a four-year term ending August 20, 2005;
Vacant seat, succeeding Amy Wah Man Yu, term expired, seat 17, must have expertise in immigrant services, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Carla Furtado, term expired, seat 18, must be a language specialist, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Ana Shul, term expired, seat 19, must be a low-income advocate, for a new four-year term ending August 20, 2004;
Vacant seat, succeeding Maria Luz Torre, term expired, seat 23, must be a parent, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Nancy Lewis, term expired, seat 24, must be a medical provider, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding new appointment, seat 25, must represent public housing tenants, for a new four-year term ending August 20, 2005.
3/15/01, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 010213.
3/19/01. RECEIVED AND ASSIGNED to Rules Committee.
10/11/01, CLERICAL CORRECTION. Seats 3, 4, 6, 7, 8, 10, 11, 14, 15, 17, 18, and 23 added due to expiration of terms or resignations.
Heard in Committee. Speakers: Maria Guadalupe Arreola; Maggie Davis; Lisa Block.

Seats 4, 6, 8, 9, 10,11, 12, 17, 18, 19, 23, 24, and 25 divided and continued to the call of the chair. See File No. 011948.
DIVIDED.

Hearing to consider appointing four members to the Lead Poisoning Prevention Citizens Advisory Committee.

4 Seats Being Considered:
Vacant seat, succeeding Francisco Casique, resigned, seat 3, must represent a tenant organization, for the unexpired portion of a four-year term ending August 20, 2003;
Vacant seat, succeeding Maggie Davis-Badger, term expired, seat 7, must represent the Mayor's Office of Housing and Child Care, for a new four term ending August 20, 2005;
Vacant seat, succeeding Michelle Horneff, term expired, seat 14, must have expertise in real estate, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Octavia Jolley, term expired, seat 15, must have expertise in environmental matters, for a new a four-year term ending August 20, 2005.

Appointment of Maria Guadalupe Arreola (residency requirement waived), seat 3, Maggie Davis (residency requirement waived), Seat 7, Michelle Horneff, seat 14, and Lisa Block, seat 15, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Maria Guadalupe Arreola, term ending August 20, 2003, and Maggie Davis, Michelle Horneff, and Lisa Block, terms ending August 20, 2005, to the Lead Poisoning Prevention Citizens Advisory Committee, residency requirement waived.

Maria Guadalupe Arreola (residency requirement waived), succeeding Francisco Casique, resigned, seat 3, must represent a tenant organization, for the unexpired portion of a four-year term ending August 20, 2003;
Maggie Davis (residency requirement waived), succeeding Maggie Davis-Badger, term expired, seat 7, must represent the Mayor's Office of Housing and Child Care, for a new four term ending August 20, 2005;
Michelle Horneff, succeeding herself, term expired, seat 14, must have expertise in real estate, for a new four-year term ending August 20, 2005;
Lisa Block, succeeding Octavia Jolley, term expired, seat 15, must have expertise in environmental matters, for a new a four-year term ending August 20, 2005.

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

011948 **[Appointment]**

Hearing to consider appointing thirteen members to the Lead Poisoning Prevention Citizens Advisory Committee.

13 Seats Being Considered:
Vacant seat, succeeding Tan Chow, term expired, seat 4, must represent a tenant organization, for a new four-year term ending August 20, 2005:
Vacant seat, succeeding Richard McGuire, term expired, seat 6, must represent the Housing Authority, for the unexpired portion of a four-year term ending August 20, 2003;
Vacant seat, succeeding James Threat, term expired, seat 8, must represent the Recreation and Park Department, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Stacey Samek, term expired, seat 9, must represent the San Francisco Unified School District, for the a new four-year term ending August 20, 2005;
Vacant seat, succeeding Dianne Velleno, term expired, seat 10, must have expertise in State preschools, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Jean Wright, term expired, seat 11, must have expertise in residential multi-dwellings, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Giulio Sorro, term expired, seat 12, must have expertise in affordable housing, for the unexpired portion of a four-year term ending August 20, 2003;
Vacant seat, succeeding Amy Wah Man Yu, term expired, seat 17, must have expertise in immigrant services, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Carla Furtado, term expired, seat 18, must be a language specialist, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Ana Shul, term expired, seat 19, must be a low-income advocate, for a new four-year term ending August 20, 2004;
Vacant seat, succeeding Maria Luz Torre, term expired, seat 23, must be a parent, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding Nancy Lewis, term expired, seat 24, must be a medical provider, for a new four-year term ending August 20, 2005;
Vacant seat, succeeding new appointment, seat 25, must represent public housing tenants, for a new four-year term ending August 20, 2005.

Divided from File No. 010518.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Gonzalez, Hall
Noes: 1 - Ammiano

011402 **[Appointment]**

Hearing to consider appointing fifteen members to the Emergency Room Diversion Task Force.

15 Seats Being Considered:
Vacant seat, new position, seat 1, must be an emergency room physician from a non-profit health maintenance, term to be determined;
Vacant seat, new position, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Vacant seat, new position, seat 3, must be an emergency room physician from the San Francisco General Hospital, term to be determined;
Vacant seat, new position, seat 4, must be a nurse manager from a community hospital, term to be determined;
Vacant seat, new position, seat 5, must be a nurse manager from a community hospital, term to be determined;
Vacant seat, new position, seat 6, must be a primary care specialist physician from the San Francisco General Hospital, term to be determined;
Vacant seat, new position, seat 7, must represent the Hospital Council, term to be determined;
Vacant seat, new position, seat 8, must be a representative of the San Francisco Medical Society, term to be determined;
Vacant seat, new position, seat 9, must be a representative of the San Francisco Police Department, term to be determined;
Vacant seat, new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined;
Vacant seat, new position, seat 11, must represent a community based organization that serves the homeless and/or uninsured population, term to be determined;
Vacant seat, new position, seat 12, must represent a community based organization that serves the homeless and/or uninsured population, term to be determined;
Vacant seat, new position, seat 13, must be a representative of the Community Substance Abuse Services, term to be determined;
Vacant seat, new position, seat 14, must represent labor, term to be determined;
Vacant seat, new position, seat 15, must represent labor, term to be determined.

7/26/01, RECEIVED AND ASSIGNED to Rules Committee.

9/20/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Ronald Smith; Catherine Garza, aide to Supervisor Newsom.

Heard in Committee. Speakers: Kevin Flatherty; Dr. George Susens; Alissa Riker; Ted Lakey, Deputy City Attorney; Rebecca Goldfader; female; Abbie Yant; Andrew Bindman; Jennifer Friedenbach.

Seats 1, 10, 13, 14, and 15 divided and continued to the call of the chair. See File No. 011949.

DIVIDED.

Hearing to consider appointing ten members to the Emergency Room Diversion Task Force.

10 Seats Being Considered:
Vacant seat, new position, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Vacant seat, new position, seat 3, must be an emergency room physician from the San Francisco General Hospital, term to be determined;
Vacant seat, new position, seat 4, must be a nurse manager from a community hospital, term to be determined;
Vacant seat, new position, seat 5, must be a nurse manager from a community hospital, term to be determined;
Vacant seat, new position, seat 6, must be a primary care specialist physician from the San Francisco General Hospital, term to be determined;
Vacant seat, new position, seat 7, must represent the Hospital Council, term to be determined;
Vacant seat, new position, seat 8, must be a representative of the San Francisco Medical Society, term to be determined;
Vacant seat, new position, seat 9, must be a representative of the San Francisco Police Department, term to be determined;
Vacant seat, new position, seat 11, must represent a community based organization that serves the homeless and/or uninsured population, term to be determined;
Vacant seat, new position, seat 12, must represent a community based organization that serves the homeless and/or uninsured population, term to be determined.

Appointment of Steven Polevei, seat 2, Alan Gelb (residency requirement waived), seat 3, Rebecca Goldfader, seat 4, Abbie Yant, seat 5, Andrew Bindman, seat 6, Ronald Smith, seat 7, George Susens, Seat 8, Michael Puccinelli, seat 9, Kym Valadez (residency requirement waived), seat 11, and Alissa Riker, seat 12, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Steven Polevei, Alan Gelb, Rebecca Goldfader, Abbie Yant, Andrew Bindman, Ronald Smith, George Susens, Michael Puccinelli, Kym Valadez, and Alissa Riker, terms to be determined, to the Emergency Room Diversion Task Force, residency requirement waived.

Steven Polevei, new position, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Alan Gelb (residency requirement waived), new position, seat 3, must be an emergency room physician from the San Francisco General Hospital, term to be determined;
Rebecca Goldfader, new position, seat 4, must be a nurse manager from a community hospital, term to be determined;
Abbie Yant, new position, seat 5, must be a nurse manager from a community hospital, term to be determined;
Andrew Bindman, new position, seat 6, must be a primary care specialist physician from the San Francisco General Hospital, term to be determined;
Ronald Smith, new position, seat 7, must represent the Hospital Council, term to be determined;
George Susens, new position, seat 8, must be a representative of the San Francisco Medical Society, term to be determined;
Michael Puccinelli, new position, seat 9, must be a representative of the San Francisco Police Department, term to be determined;
Kym Valadez (residency requirement waived), new position, seat 11, must represent a community based organization that serves the homeless and/or uninsured population, term to be determined;
Alissa Riker, new position, seat 12, must represent a community based organization that serves the homeless and/or uninsured population, term to be determined.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011949 **[Appointment]**

Hearing to consider appointing five members to the Emergency Room Diversion Task Force.

5 Seats Being Considered:
Vacant seat, new position, seat 1, must be an emergency room physician from a non-profit health maintenance, term to be determined;
Vacant seat, new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined;
Vacant seat, new position, seat 13, must be a representative of the Community Substance Abuse Services, term to be determined;
Vacant seat, new position, seat 14, must represent labor, term to be determined;
Vacant seat, new position, seat 15, must represent labor, term to be determined.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011235 **[Appointment]**

Hearing to consider appointing two members to the Immigrant Rights Commission.

2 Seat Being Considered:
Vacant seat, succeeding Marie-Lorraine Mallare, Seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco,for a new two-year term ending June 6, 2002.
Vacant seat, succeeding Samuel Assefa, Seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco,for a new two-year term ending June 6, 2003.

6/21/01, RECEIVED AND ASSIGNED to Rules Committee.
6/21/01, CONTINUED TO CALL OF THE CHAIR. Divided from File 011144.
10/10/01, CLERICAL CORRECTION. Seat 2 added.

Heard in Committee. Speakers: Juan Berumen; Neyde Azevedo; Ayo Fanoiki; Ugoharris Opara; Lotus Yee Fong; Dang Pham, Administrator, Immigrant Rights Commission.

Appointment of Juan Berumen, seat 11, and Neyde Azevedo, seat 2, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Juan Berumen, term ending June 6, 2003, and Neyde Azevedo, term ending June 6, 2002, to the Immigrant Rights Commission.

Neyde Azevedo, succeeding Marie-Lorraine Mallare, Seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a new two-year term ending June 6, 2002;
Juan Berumen, succeeding Samuel Assefa, Seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a new two-year term ending June 6, 2003.

RECOMMENDED.. by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

011831 [Appointment]

Hearing to consider appointing 8 members to the Local Homeless Coordinating Board.

8 Seats Being Considered:
Vacant seat, succeeding Michael Bennett, term expired, seat 1, must represent homeless or formerly homeless, for a new two year term ending May 15, 2003;
Vacant seat, succeeding Joyce Miller, term expired, seat 2, must represent homeless or formerly homeless, for a new two year term ending May 15, 2003;
Vacant seat, succeeding Ramona Benson, term expired, seat 3, must represent area of advocacy, for a new two year term ending May 15, 2003;
Vacant seat, succeeding Jennifer Grant, term expired, seat 5, must be a service provider, for a new two year term ending May 15, 2003;
Vacant seat, succeeding Bob Nelson, term expired, seat 7, must be a service provider, for a new two year term ending May 15, 2003;
Vacant seat, new appointment, seat 10, must represent a Foundation, for a new two year term ending May 15, 2002;
Vacant seat, new appointment, seat 11, must represent a neighborhood, for a new two year term ending May 15, 2002;
Vacant seat, succeeding Jennifer Friedenbach, term expired, seat 12, must represent a neighborhood, for a new two year term ending May 15, 2003.

10/10/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; John Wilson; Diane Burke; Joyce Miller; female; Janine Charise Grantham; Bob Nelson; Marcia Argyris; Jennifer Friedenbach; Antinet Stadleman; male; Maggie Donahue.

Seat 11 and 12 divided and continued to the call of the chair. See File No. 011950.

DIVIDED.

Hearing to consider appointing six members to the Local Homeless Coordinating Board.

6 Seats Being Considered:
Vacant seat, succeeding Michael Bennett, term expired, seat 1, must represent homless or formerly homeless, for a new two year term ending May 15, 2003;
Vacant seat, succeeding Joyce Miller, term expired, seat 2, must represent homless or formerly homeless, for a new two year term ending May 15, 2003;
Vacant seat, succeeding Ramona Benson, term expired, seat 3, must represent area of advocacy, for a new two year term ending May 15, 2003;
Vacant seat, succeeding Jennifer Grant, term expired, seat 5, must be a service provider, for a new two year term ending May 15, 2003;
Vacant seat, succeeding Bob Nelson, term expired, seat 7, must be a service provider, for a new two year term ending May 15, 2003;
Vacant seat, new appointment, seat 10, must represent a Foundation, for a new two year term ending May 15, 2002.

Appointment of Diane Burke seat 1, John Wilson, seat 2, Joyce Miller, seat 3, Janine Charise Grantham (residency requirement waived), seat 5, Bob Nelson, seat 7, and Marcia Argyris (residency requirement waived) seat 10, recommended.

Resolution appointing Marcia Argyris, term ending May 15, 2002, Diane Burke, John Wilson, Joyce Miller, Janine Charise Grantham, and Bob Nelson, terms ending May 15, 2003, to the Local Homeless Coordinating Board, residency requirement waived.

Diane Burke, succeeding Michael Bennett, term expired, seat 1, must represent homeless or formerly homeless, for a new two year term ending May 15, 2003;
John Wilson, succeeding Joyce Miller, term expired, seat 2, must represent homeless or formerly homeless, for a new two year term ending May 15, 2003;
Joyce Miller, succeeding Ramona Benson, term expired, seat 3, must represent area of advocacy, for a new two year term ending May 15, 2003;
Janine Charise Grantham (residency requirement waived), succeeding Jennifer Grant, term expired, seat 5, must be a service provider, for a new two year term ending May 15, 2003;
Bob Nelson, succeeding Bob Nelson, term expired, seat 7, must be a service provider, for a new two year term ending May 15, 2003;
Marcia Argyris (residency requirement waived), new appointment, seat 10, must represent a Foundation, for a new two year term ending May 15, 2002.

RECOMMENDED.. by the following vote:
Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

011950 **[Appointment]**
Hearing to consider appointing two members to the Local Homeless Coordinating Board.

2 Seats Being Considered:
Vacant seat, new appointment, seat 11, must represent a neighborhood, for a new two-year term ending May 15, 2002;
Vacant seat, succeeding Jennifer Friedenbach, term expired, seat 12, must represent a neighborhood, for a new two-year term ending May 15, 2003.

Divided from File No. 011831.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 2 - Gonzalez, Hall
Noes: 1 - Ammiano

Special Order - 1:00 PM

010527 [Establishment of Housing Commission]

Supervisor Gonzalez

Ordinance amending Chapter 2 of the San Francisco Administrative Code by adding Article III thereto; establishing a Housing Commission pursuant to Section 34291 of the California Health and Safety Code to be appointed by the Board of Supervisors; establishing the qualifications and terms for members; and establishing the powers and duties of the Commission.

3/26/01. ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/25/2001.

5/4/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Gregg Fortner, Acting Executive Director, San Francisco Housing Authority; James Van Bergen, San Francisco Housing Authority; John Wilkenson, San Francisco Housing Authority; Evett Albert, San Francisco Housing Authority; Carlton Williams, General Counsel, San Francisco Housing Authority; Mr. Belega; Rev. Amos Brown; Jesse Mason; Roy Rogers; Ms. Rogers; Shawn Richards; Benny Wright; Joyce Armstrong; Watson Low; Marie Harrison; Espanola Jackson, Leboriae P. Smoore; Linda Richardson; Roger Langford; Don Paul; Rev. Arnold Townsend, Stan Warren, San Francisco Building and Trades; Larry Lee; Cecilia Shepard; Clarence Brown; Waymond Nichols; Lillie Chess; Muriel Kibby; Jacqualine Sachs; Alma Lark; Theaster Jones.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Rob Eshelman, aide to Supervisor Gonzalez; Gregg Fortner, Acting Executive Director, San Francisco Housing Authority; Mr. Penagle; Don Paul; Cecilia Shepard; John Stewart; Terrall Rogers; Whaticia Jennine Patterson; Marrisa Washington; Marie Harrison; Dimitrias Williams; James VanBurg, Housing Authority; Bianca Henry, Coalition on Homelessness; Sandra Floura; Kimberly Hill Brown; Marc Salomon; Richard Ow; Judy Yee, Commissioner, Housing Authority.

Continued to December 6, 2001.

CONTINUED by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

010531 [Board of Supervisors as Governing Body]

Supervisor Gonzalez

Resolution rescinding that portion of Resolution No. 3874 requesting the Mayor to appoint commissioners of the Housing Authority of the City and County of San Francisco, and declaring the Board of Supervisors to be the Commissioners of the Housing Authority.

3/26/01. RECEIVED AND ASSIGNED to Rules Committee.

5/4/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Gregg Fortner, Acting Executive Director, San Francisco Housing Authority; James Van Bergen, San Francisco Housing Authority; John Wilkenson, San Francisco Housing Authority; Evett Albert, San Francisco Housing Authority; Carlton Williams, General Counsel, San Francisco Housing Authority; Mr. Belega; Rev. Amos Brown; Jesse Mason; Roy Rogers; Ms. Rogers; Shawn Richards; Benny Wright; Joyce Armstrong; Watson Low; Marie Harrison; Espanola Jackson; Leboriae P. Smoore; Linda Richardson; Roger Langford; Don Paul; Rev. Arnold Townsend; Stan Warren, San Francisco Building and Trades; Larry Lee; Cecilia Shepard, Clarence Brown; Waymond Nichols; Lillie Chess; Muriel Kibby; Jacqualine Sachs; Alma Lark, Theaster Jones.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Rob Eshelman, aide to Supervisor Gonzalez; Gregg Fortner, Acting Executive Director, San Francisco Housing Authority; Mr. Penagle; Don Paul; Cecilia Shepard; John Stewart; Terrall Rogers; Whaticia Jennine Patterson; Marrisa Washington; Marie Harrison; Dimitrias Williams; James VanBurg, Housing Authority; Bianca Henry, Coalition on Homelessness; Sandra Floura; Kimberly Hill Brown; Marc Salomon; Richard Ow; Judy Yee, Commissioner, Housing Authority.

Continued to December 6, 2001.

CONTINUED by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

ADJOURNMENT

The meeting adjourned at 3:19 pm.

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

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23/01
Special

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

October 18, 2001

DOCUMENTS DEPT.

OCT 23 2001

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TO: Rules Committee

FROM: Budget Analyst

SUBJECT: October 23, 2001 Special Rules Committee Meeting

Item 2 - File 01-0961

Note: This item was continued to the Call of the Chair at the June 22, 2001 Special Rules Committee Meeting.

Proposed Charter Amendment: Charter Amendment amending Section 2.100 and adding Section 15.109 to provide that the job of a Board of Supervisors member is a full-time position and that the Supervisors salary will be set by the Ethics Commission, and reconsidered every two years, based on surveys of salaries of comparable public sector positions in the State of California.

Draft: First

Charter Sections Affected: Sections 2.100 and 15.109

Description: The proposed Charter Amendment would amend Section 2.100 and add a new Section 15.109 to the City's Charter to state that the job of each member of the Board of Supervisors is a full-time position and that the Supervisors salary would be set by the Ethics Commission, based on the Ethics

Commission's review every two years. In accordance with the proposed Charter Amendment, the Ethics Commission's review would need to consider a salary survey of comparable public sector offices in the State of California, conducted by the Department of Human Resources and certified to the Ethics Commission by the Civil Service Commission. Only the Ethics Commission, therefore by majority vote, would be able to change the salary of the Board of Supervisors.

The Ethics Commission would then be responsible for transmitting the Board of Supervisors salary determination on a timely basis to the Controller's Office so that the Controller would (1) set aside the necessary funding and (2) include the new Supervisors salaries in the appropriate budget documents for implementation. The Ethics Commission would be responsible for establishing their two-year Board of Supervisors salary review cycle, to coordinate with City budget processes and related procedures.

The proposed Section would also be amended to delete specific reference to each member of the Board of Supervisors current annual salary of $37,585.

Comments:

1. Attachment I, provided by the Controller's Office, estimates that the proposed Charter Amendment would result in additional costs of approximately $421,094 annually to provide full-time salaries for the Board of Supervisors. This estimate is based on the difference between the Board of Supervisors current annual salary cost of $413,435 ($37,585 x 11 Supervisors) and the cost based on the current average salaries for members of the Board of Supervisors in other Bay Area counties of $779,603 ($70,873 x 11 Supervisors), adjusted for the additional variable fringe benefit costs (15 percent). The Controller's Office also advises that since the Charter currently fixes the salary level for members of the Board of Supervisors, and that the proposed Charter Amendment would set salaries

based on surveys of comparable salaries, that these costs are likely to increase over time.

There are also estimated to be additional minor costs associated with the Department of Human Resources (DHR) conducting the salary survey and the Ethics Commission determining the salary rate, which could be absorbed within the Departments' existing budgets.

2. On June 11, 2001, the Ethics Commission met to deliberate and receive public comments on various Charter Amendments. Based on a June 13, 2001 letter from Ms. Ginny Vida, the Executive Director of the Ethics Commission, to Ms. Gloria Young, the Clerk of the Board of Supervisors, which is included as Attachment II to this report, Ms. Vida reports that the Ethics Commission does not intend to take a position, in support of, or in opposition to, any of the proposed Charter Amendments. However, Ms. Vida further advises that while the Ethics Commission believes that currently "members of the Board of Supervisors are inadequately compensated and that a better process for determining the compensation of the Board should be implemented, the Ethics Commission does not believe that it is in the best interests of the Ethics Commission and the people of San Francisco to have the Ethics Commission set the salaries for the Board of Supervisors".

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLER

Edward Harrington
Controller

Matthew H. Hyme
Chief Assistant Controller

October 17, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010961 -- Proposed Charter Amendment to specify that a member of the Board of Supervisors of the City and County of San Francisco is a full time position and to provide that salaries for members of the Board will be set by salary survey.

Dear Ms. Young:

Should the proposed charter amendment be approved by the voters, in my opinion, there would be an increase in the cost of government associated with providing full-time salaries for the Board of Supervisors of approximately $421,094 annually. Members of the Board are currently paid a Charter-mandated amount of $37,585 annually, and are provided with full employee benefits. Based on average salaries for Members of the Board of Supervisors in Bay Area counties, setting these salaries by survey would result in an increase to approximately $70,873 per Supervisor. If it were determined that the jobs of members of the San Francisco Board of Supervisors were comparable to other public sector positions, rather than to county Board of Supervisors' positions, this cost could increase or decrease. The Charter currently fixes the salary level for members of the Board of Supervisors, if these salaries were instead set by survey, they are more likely to increase over time. Finally, there would also be a minor cost associated with conducting the salary survey.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

done at

ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

CAROL M. KINGSLEY
CHAIRPERSON

PAUL H. MELBOSTAD
VICE-CHAIRPERSON

ISABELLA H. GRANT
COMMISSIONER

PHILIP S. RYAN
COMMISSIONER

SHARYN SASLAFSKY
COMMISSIONER

VIRGINIA E. VIDA
EXECUTIVE DIRECTOR

June 13, 2001

Gloria L. Young
Clerk of the Board
Board of Supervisors
Room 244 City Hall
San Francisco, CA 94102-4689

BY
2001 JUN 13 PM 1:

Dear Ms. Young:

On May 31, 2001, after the Ethics Commission informally received a number of proposed Charter amendments that affect its operation, the Committee on Future Initiatives of the Ethics Commission convened a special hearing to consider Charter amendments proposed by Supervisors Newsom, Daly and Gonzalez (File Nos. 010955, 010958, 010962, 010961, 010956, 010959, and 010963). At this meeting, which lasted two and a half hours, the Committee received testimony from Supervisor Daly and his aide, and aides representing Supervisors Newsom and Gonzalez, respectively, as well as from City Attorney Louise Renne and members of the public.

Subsequent to the Board of Supervisors' formal referral of the proposed Charter amendments to the Commission on June 4 and 6, 2001, and the Board's request for comments, the full Ethics Commission met on June 11, 2001. At this meeting, the full Commission again received public testimony, deliberated, and took the following action with respect to various categories identified in the Charter amendments proposed by Supervisors Newsom, Daly and Gonzalez. In adopting the following resolutions regarding its position on the various categories at this time, the Commission made clear that it did not intend to take a position, in support of, or in opposition to, any of the Charter amendments themselves.

The Commission also adopted two resolutions, as set forth below, to urge that the Board of Supervisors take action to clarify language in the Charter to allow members and staff of the Commission to explain and advocate for passage of ballot measures placed before the voters by the Commission, and to amend the Charter to allow the Commission to retain jurisdiction over complaints while they are under consideration by the City Attorney and the District Attorney.

A. Charter amendments proposed by members of the Board of Supervisors:

1. Ex officio membership:
Be it resolved that although the Ethic Commission supports better coordination and communication between the Ethics Commission and the Department of Elections, at this time it does not find that it is in the best interests of the Ethics Commission to have the Director of Elections sit ex-officio on the Ethics Commission, or to have the Executive Director of the Ethics Commission sit ex-officio on the proposed Elections Commission.

2. Employees:
Be it resolved that while the Ethics Commission supports the goal that staff be independent of political influence and patronage, the Ethics Commission finds that at this time it is in the best interests of the Ethics Commission and the people of San Francisco that the Commission retain the power to appoint auditors, investigators, and the Executive Director, who shall serve at the Commission's pleasure.

3. Legal counsel:
Be it resolved that the Ethics Commission finds that it is in the best interests of the Ethics Commission and the people of San Francisco that the City Attorney remain the legal advisor for the Ethics Commission.

4. Budget process:
Be it resolved that the Ethics Commission finds that at this time it is in the best interests of the Ethics Commission and the citizens of San Francisco not to alter the budget process for the Ethics Commission, as set forth in the proposed Charter amendments.

5. Board of Supervisors' salary:
Be it resolved that while the Ethics Commission believes that members of the Board of Supervisors are inadequately compensated and that a better process for determining the compensation of the Board should be implemented, the Ethics Commission does not believe that it is in the best interests of the Ethics Commission and the people of San Francisco to have the Ethics Commission set the salaries for the Board of Supervisors.

B. Suggested additions to proposed Charter amendments:

1. Advocate for measures placed on the ballot by the Ethics Commission:
Be it resolved that the Ethics Commission urges the Board of Supervisors to place before the voters a proposal clarifying the current language in the Charter to allow members and staff of the Ethics Commission to explain ballot measures placed before the voters by the Ethics Commission, and to advocate as private individuals for the passage of such measures.

2. Jurisdiction:
Be it resolved that the Ethics Commission urges the Board of Supervisors to place before the voters a Charter amendment to allow the Ethics Commission to retain jurisdiction

over complaints filed with the Ethics Commission after the Commission refers the complaints to the District Attorney and the City Attorney.

The Ethics Commission is always pleased to provide the Board and individual supervisors with input and feedback on proposals that affect the Commission. We encourage and welcome more such interaction in the future. Please feel free to call me at 581-2301 if you have any questions.

Sincerely,

Ginny Vida

Ginny Vida
Executive Director

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Item 4 - File 01-0966

Proposed Charter Amendment: Charter Amendment amending Section 13.102 to allow the Board of Supervisors to establish methods and procedures for conducting runoff elections by ordinance in accordance with available technology.

Draft: First

Charter Section Affected: Section 13.102

Description: The proposed Charter Amendment would amend Section 13.102 to provide that a runoff election must be held if no candidate for any City and County elective office, except the Board of Education and the Governing Board of the Community College District, receives a majority of votes. Under the proposed Charter Amendment, the Board of Supervisors would be required by ordinance, in consultation with the Mayor, to establish the specific method for conducting such runoff elections, provided that such ordinance is adopted no fewer than 150 days (approximately five months) prior to the election that the runoff voting method would be implemented.

Currently, the Charter requires that a runoff election be held between the top two candidates for each City elective office, except the Board of Education and the Governing Board of the Community College District, if no candidate receives a majority of the votes for each elective office. The current Charter also specifies that the runoff election for the offices of Mayor, Sheriff, District Attorney, City Attorney, Treasurer or Board of Supervisors be held on the second Tuesday of the next ensuing December after the initial election. The current Charter specifies that the runoff election for the offices of Assessor-Recorder and Public Defender be held at the next general election.

The proposed Charter Amendment also provides that the City and County shall use cost effective voting methods to the greatest extent feasible under existing technology, which may include but need not be limited to, instant runoff voting, voting by mail and electronic voting. The proposed Charter Amendment would be effective January 1, 2002, and would take effect for the elections for the Assessor-Recorder and Public Defender beginning in January of 2003 (See Comment No. 5).

Comments:

1. Ms. Chris Hayashi, formerly of the City Attorney's Office assigned to the Department of Elections, previously advised the Budget Analyst that the existing Election Systems and Software (ES&S) equipment, which the Department of Elections purchased in FY 2000-2001, is technologically capable of handling an instant runoff election, where there are up to 17 candidates and one write-in candidate for a single office, without requiring significant new or additional computers or equipment costs to the City. Mr. Ara Minasian of the Department of Administrative Services reports that it is estimated to cost between $0 and $150,000 of one-time costs to make all of the existing computer and equipment systems in the Department of Elections compatible for an instant runoff election.

2. Mr. Minasian advises that a voting by mail runoff election is estimated to cost approximately $1.3 million to $1.5 million per runoff election, with most of these costs resulting from the printing and postage expenses. Given that the Department of Elections does not currently have an electronic voting system, the Department could not estimate the costs of conducting an electronic runoff election.

3. Mr. Minasian advises that the December of 1999 Mayoral Runoff Election cost approximately $1.48 million. Mr. Minasian estimates that if a December of 2001 City Attorney Runoff Election is required, it is estimated to cost approximately $2.0 million.

4. Ms. Hayashi further advised that if the Department of Elections changed the method for conducting runoff elections, the Department would need to provide additional outreach to San Francisco voters to fully explain how the new runoff election system works in order to minimize voter confusion. For example, the Department might conduct City-wide mailings, or produce public service announcements and seek other media outlets, such as Citywatch, to disseminate such information to the public. Ms. Tammy Haygood of the Department of Elections advises that such additional outreach efforts are estimated to cost approximately $250,000 initially, and would be reduced over time, as the public becomes more familiar with the new runoff voting system.

Ms. Haygood also reports that the Department of Elections would likely incur additional administrative expenses of up to $100,000 per election to provide additional training and pay for the Temporary Salary expenses for all of the pollworkers to fully understand any new runoff voting system.

5. As noted above, the proposed Charter Amendment would be effective January 1, 2002. If the proposed Charter Amendment is placed on the March of 2002 ballot, the effective date of January 1, 2002 should be changed to January 1, 2003 or another date that is after the March of 2002 election, that will allow for sufficient time for the proposed Charter Amendment to be implemented.

6. The Controller's statement on the effect on the cost of government of this proposed Charter Amendment is attached to this report. The Attachment explains that the Controller's Office advises that the fiscal impact of the proposed Charter Amendment is unknown at this time because the subject Charter Amendment would provide the Board of Supervisors, in consultation with the Mayor, the discretion to establish the method for conducting runoff elections in San Francisco. Since the decision regarding the specific

type of method that would be used for conducting the runoff elections has not yet been determined, the Controller's Office advises that it is not possible to estimate the cost of this Charter Amendment on government, at this time.

Recommendations:

1. Amend the proposed Charter Amendment to change the effective date, as discussed in Comment No. 5.

2. Approval of the proposed Charter Amendment, as amended, is a policy matter for the Board of Supervisors.

Edward Harringt
Controll

Matthew H. Hym
Chief Assistant Controll

October 17, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010966 -- Charter Amendment to allow the Board of Supervisors, in consultation with the Mayor, to establish the method for conducting run-off elections by ordinance in accordance with available technology.

Dear Ms. Young:

The fiscal impact of this proposed charter amendment is unknown at this time. The amendment would provide the Board of Supervisors, in consultation with the Mayor, with the discretion to establish a method for conducting run-off elections. The amendment provides a list of possible run-off election methods but does not limit the Board of Supervisors to those methods. Since the Board's decision regarding the method for conducting run-off elections cannot be determined, it is not possible to estimate a change in the cost of government at this time.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 5 – File 01-0968

Note: This item was continued to the Call of the Chair by the Rules Committee at its meeting of July 6, 2001.

Proposed Ballot Measure: Charter Amendment amending Section 9.100 (Budget Process Ordinances) to require the Mayor, beginning in 2003 (for FY 2003-2004) to submit the proposed budget to the Board of Supervisors not later than February 28 of each year.

Draft: First

Sections Affected: Section 9.100

Description: Currently, Charter Section 9.100 defines the City's fiscal year as beginning on July 1 of each year and ending on June 30 of the following year. Section 9.100 also requires that the Board of Supervisors adopt an Interim Appropriation Ordinance not later than June 30 of each year. The Board of Supervisors is also required, under Charter Section 9.100, to adopt a final budget and Annual Appropriation Ordinance not earlier than July 15 and not later than August 1 of each year.

The Charter does not specify the date by which the Mayor's proposed budget must be submitted to the Board of Supervisors. Under Administrative Code Section 3.3 ("Budget Timetable"), the following requirement is prescribed:

> "The Mayor shall, not later than the first working day of June of each year, transmit to the Board of Supervisors consolidated budget estimates, proposed budget, detailed estimate of revenues, and estimates of amounts required to meet bond interest and fixed charges, together with his or her budget message and a draft of the annual appropriation ordinance, prepared by the Controller."

This proposed Charter Amendment would add language to Charter Section 9.100 stating that "*Beginning in 2003 (*for the FY 2003-2004 proposed budget*), the Mayor shall submit the annual proposed budget to the Board of Supervisors on or before February 28."*

Effect on the Cost of Government

As of the writing of this report, the Controller's statement on the effect on the cost of government of the proposed Charter Amendment was not available. However, the Controller's Office advises that their statement would be available for the Special Rules Committee Meeting on October 23, 2001.

The Budget Analyst notes that approval of the proposed Charter Amendment would not, in and of itself, result in increased costs to the City. However, if the extended time period for the Board of Supervisors review of the Mayor's proposed budget resulted in a policy decision to devote additional resources to such a review, increased resources could be provided by the Budget Analyst without increased expenditures through a redeployment of assignments. Alternatively, any additional resources would be subject to appropriation approval by the Board of Supervisors and the Mayor.

Comments:

1. Presently, under Charter Section 9.100 and Administrative Code Section 3.3, the Board of Supervisors has approximately one month to review the budget and to conduct budget hearings before the Finance Committee in order that the Finance Committee's recommended budget and Annual Appropriation Ordinance is transmitted to the full Board for adoption prior to the absolute deadline of not later than August 1 of each year. By receiving the Mayor's proposed budget no later than February 28 of each year, the Board of Supervisors would have an additional three months to review the budget and conduct budget hearings.

2. However, it should be noted that a proposed budget, submitted by the Mayor by February 28 of each year could be subject to substantial revision, by both the Mayor and the Board of Supervisors, based upon new or updated information, prior to the August 1 deadline for final approval by the Board of Supervisors. Budget information that is likely to change during this period would include revenue estimates, increased salary and benefits costs resulting from Memoranda of Understanding approved after February 28 of each year, and changes to the costs of non-labor expenditures

such as the recent volatility in utility prices and increased expenditures for non-profit contractors.

3. The Budget Analyst believes that additional time expended on reviewing the budget should result in a more in-depth analysis of the budget. However, the Budget Analyst believes that the precise length of time to be devoted to the annual budget review is a policy decision for the Board of Supervisors.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

for Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Ben Rosenfield

Government Document Section

City and County of San Francisco Main Library

Meeting Minutes

Rules Committee

94102-4689

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Tuesday, October 23, 2001 **1:30 PM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

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The meeting convened at 1:45 pm.

REGULAR AGENDA

010907 **[Charter Amendment - Noncitizens on City Boards, Commissions, and Advisory Bodies]**
Supervisor Gonzalez

Charter amendment (First Draft) to amend Section 4.101 to permit noncitizens to serve on appointive boards, commissions, and advisory bodies.

5/14/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/13/2001.
6/22/01, CONTINUED. Heard in Committee. Speaker: none.

Continued to August 16, 2001.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; male; Chris Bowman.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to amend Section 4.101 to permit noncitizens to serve on appointive boards, commissions, and advisory bodies.

Continued to November 1, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010961 **[Member, Board of Supervisors]**

Supervisors Gonzalez, Hall

Charter amendment (First Draft) to amend Section 2.100, add Section 15.109 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Supervisors' salary will be set by the Ethics Commission. The Ethics Commission will receive and consider a survey regarding salaries of comparable public sector positions found in the State of California, and will review and reconsider the Supervisors' salary every two years.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Kate Favetti, Executive Director, Civil Service Commission.

Heard in Committee. Speakers: Kate Favetti, Executive Director, Civil Service Commission; Frederick Hobson; Chris Bowman; Ginny Vida, Executive Director, Ethics Commission; John Kennedy, Deputy City Attorney; Charlie Marsteller.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010964 **[Appointments to the Planning Commission and the Board of Appeals]**

Supervisors Gonzalez, McGoldrick, Daly

Charter amendment (First Draft) to amend Section 4.105 to provide that appointments to the Planning Commission shall be shared by the Mayor and the Board of Supervisors.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, CONTINUED. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick. Continued to July 6, 2001.

7/6/01, CONTINUED TO CALL OF THE CHAIR.

Heard in Committee. Speakers: Supervisor Jake McGoldrick; John Kennedy, Deputy City Attorney; Ernestine Weiss; John Bardis; Chris Bowman.

Continued to October 25, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010966 **[Runoff Elections]**

Supervisor Leno

Charter amendment (First Draft) to amend Section 13.102 to allow the Board of Supervisors to establish the methods and procedures for conducting runoff elections by ordinance with available technology.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010968 **[Mayor's Budget deadline]**

Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 9.100 to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than February 28 of each year.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, CONTINUED. Heard in Committee. Speaker: Supervisor Jake McGoldrick; Buck Delventhal, Deputy City Attorney Continued to July 6, 2001.

7/6/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor Jake McGoldrick; Steve Kawa, Mayor's Office; John Bardis; Peg Stevenson, Controller's Office; Buck Delventhal.

Heard in Committee. Speakers: Supervisor Jake McGoldrick; Peg Stevenson, Office of the Controller; Debra Newman, Budget Analysts Office; John Kennedy, Deputy City Attorney; John Abalos; Ernestine Weiss; Chris Bowman; Frederick Hobson; John Bardis.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to amend Section 9.100 to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than April 15 of each year.

Continued to November 1, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010969 **[Board of Appeals appointments]**

Supervisors McGoldrick, Leno, Maxwell, Sandoval, Gonzalez, Daly, Ammiano, Hall

Charter amendment (First Draft) to amend Section 4.106 to provide that appointments to the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick.

6/29/01, CONTINUED. Continued to July 6, 2001.

7/6/01, CONTINUED TO CALL OF THE CHAIR.

Heard in Committee. Speakers: Supervisor Jake McGoldrick; John Kennedy, Deputy City Attorney; Ernestine Weiss; John Bardis; Chris Bowman.

Continued to October 25, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 3.55 pm.

Susan Hom
Main Library-Govt. Doc. Section

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

October 22, 2001

TO: Rules Committee

FROM: Budget Analyst

SUBJECT: October 25, 2001 Special Rules Committee Meeting

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Item 2 - File 01-0961

Note: This item was continued to the Call of the Chair at the June 22, 2001 Special Rules Committee Meeting.

Proposed Charter Amendment: Charter Amendment amending Section 2.100 and adding Section 15.109 to provide that the job of a Board of Supervisors member is a full-time position and that the Supervisors salary will be set by the Ethics Commission, and reconsidered every two years, based on surveys of salaries of comparable public sector positions in the State of California.

Draft: First

Charter Sections Affected: Sections 2.100 and 15.109

Description: The proposed Charter Amendment would amend Section 2.100 and add a new Section 15.109 to the City's Charter to state that the job of each member of the Board of Supervisors is a full-time position and that the Supervisors salary would be set by the Ethics Commission, based on the Ethics

Commission's review every two years. In accordance with the proposed Charter Amendment, the Ethics Commission's review would need to consider a salary survey of comparable public sector offices in the State of California, conducted by the Department of Human Resources and certified to the Ethics Commission by the Civil Service Commission. Only the Ethics Commission, therefore by majority vote, would be able to change the salary of the Board of Supervisors.

The Ethics Commission would then be responsible for transmitting the Board of Supervisors salary determination on a timely basis to the Controller's Office so that the Controller would (1) set aside the necessary funding and (2) include the new Supervisors salaries in the appropriate budget documents for implementation. The Ethics Commission would be responsible for establishing their two-year Board of Supervisors salary review cycle, to coordinate with City budget processes and related procedures.

The proposed Section would also be amended to delete specific reference to each member of the Board of Supervisors current annual salary of $37,585.

Comments:

1. Attachment I, provided by the Controller's Office, estimates that the proposed Charter Amendment would result in additional costs of approximately $421,094 annually to provide full-time salaries for the Board of Supervisors. This estimate is based on the difference between the Board of Supervisors current annual salary cost of $413,435 ($37,585 x 11 Supervisors) and the cost based on the current average salaries for members of the Board of Supervisors in other Bay Area counties of $779,603 ($70,873 x 11 Supervisors), adjusted for the additional variable fringe benefit costs (15 percent). The Controller's Office also advises that since the Charter currently fixes the salary level for members of the Board of Supervisors, and that the proposed Charter Amendment would set salaries

based on surveys of comparable salaries, that these costs are likely to increase over time.

There are also estimated to be additional minor costs associated with the Department of Human Resources (DHR) conducting the salary survey and the Ethics Commission determining the salary rate, which could be absorbed within the Departments' existing budgets.

2. On June 11, 2001, the Ethics Commission met to deliberate and receive public comments on various Charter Amendments. Based on a June 13, 2001 letter from Ms. Ginny Vida, the Executive Director of the Ethics Commission, to Ms. Gloria Young, the Clerk of the Board of Supervisors, which is included as Attachment II to this report, Ms. Vida reports that the Ethics Commission does not intend to take a position, in support of, or in opposition to, any of the proposed Charter Amendments. However, Ms. Vida further advises that while the Ethics Commission believes that currently "members of the Board of Supervisors are inadequately compensated and that a better process for determining the compensation of the Board should be implemented, the Ethics Commission does not believe that it is in the best interests of the Ethics Commission and the people of San Francisco to have the Ethics Commission set the salaries for the Board of Supervisors".

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Edward Harringt
Controll

Matthew H. Hym
Chief Assistant Controll

June 19, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010961
Proposed Charter Amendment to specify that a member of the Board of Supervisors of the City and County of San Francisco is a full time position and to provide that salaries for members of the Board will be set by salary survey.

Dear Ms. Young:

Should the proposed charter amendment be approved by the voters, in my opinion, there would be an increase in the cost of government associated with providing full-time salaries for the Board of Supervisors of approximately $421,094 annually. Members of the Board are currently paid a Charter-mandated amount of $37,585 annually, and are provided with full employee benefits. Based on average salaries for Members of the Board of Supervisors in Bay Area counties, setting these salaries by survey would result in an increase to approximately $70,873 per Supervisor. If it were determined that the jobs of members of the San Francisco Board of Supervisors were comparable to other public sector positions, rather than to county Board of Supervisors' positions, this cost could increase or decrease. The Charter currently fixes the salary level for members of the Board of Supervisors, if these salaries were instead set by survey, they are likely to increase over time. Finally, under the proposed amendment, there would also be a minor cost associated with requiring the Ethics Commission to conduct the salary survey.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

ETHICS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

CAROL M. KINGSLEY
CHAIRPERSON

PAUL H. MELBOSTAD
VICE-CHAIRPERSON

ISABELLA H. GRANT
COMMISSIONER

PHILIP S. RYAN
COMMISSIONER

SHARYN SASLAFSKY
COMMISSIONER

VIRGINIA E. VIDA
EXECUTIVE DIRECTOR

June 13, 2001

Gloria L. Young
Clerk of the Board
Board of Supervisors
Room 244 City Hall
San Francisco, CA 94102-4689

Dear Ms. Young:

On May 31, 2001, after the Ethics Commission informally received a number of proposed Charter amendments that affect its operation, the Committee on Future Initiatives of the Ethics Commission convened a special hearing to consider Charter amendments proposed by Supervisors Newsom, Daly and Gonzalez (File Nos. 010955, 010958, 010962, 010961, 010956, 010959, and 010963). At this meeting, which lasted two and a half hours, the Committee received testimony from Supervisor Daly and his aide, and aides representing Supervisors Newsom and Gonzalez, respectively, as well as from City Attorney Louise Renne and members of the public.

Subsequent to the Board of Supervisors' formal referral of the proposed Charter amendments to the Commission on June 4 and 6, 2001, and the Board's request for comments, the full Ethics Commission met on June 11, 2001. At this meeting, the full Commission again received public testimony, deliberated, and took the following action with respect to various categories identified in the Charter amendments proposed by Supervisors Newsom, Daly and Gonzalez. In adopting the following resolutions regarding its position on the various categories at this time, the Commission made clear that it did not intend to take a position, in support of, or in opposition to, any of the Charter amendments themselves.

The Commission also adopted two resolutions, as set forth below, to urge that the Board of Supervisors take action to clarify language in the Charter to allow members and staff of the Commission to explain and advocate for passage of ballot measures placed before the voters by the Commission, and to amend the Charter to allow the Commission to retain jurisdiction over complaints while they are under consideration by the City Attorney and the District Attorney.

Gloria Young
June 13, 2001

A. **Charter amendments proposed by members of the Board of Supervisors:**

1. Ex officio membership:
Be it resolved that although the Ethic Commission supports better coordination and communication between the Ethics Commission and the Department of Elections, at this time it does not find that it is in the best interests of the Ethics Commission to have the Director of Elections sit ex-officio on the Ethics Commission, or to have the Executive Director of the Ethics Commission sit ex-officio on the proposed Elections Commission.

2. Employees:
Be it resolved that while the Ethics Commission supports the goal that staff be independent of political influence and patronage, the Ethics Commission finds that at this time it is in the best interests of the Ethics Commission and the people of San Francisco that the Commission retain the power to appoint auditors, investigators, and the Executive Director, who shall serve at the Commission's pleasure.

3. Legal counsel:
Be it resolved that the Ethics Commission finds that it is in the best interests of the Ethics Commission and the people of San Francisco that the City Attorney remain the legal advisor for the Ethics Commission.

4. Budget process:
Be it resolved that the Ethics Commission finds that at this time it is in the best interests of the Ethics Commission and the citizens of San Francisco not to alter the budget process for the Ethics Commission, as set forth in the proposed Charter amendments.

5. Board of Supervisors' salary:
Be it resolved that while the Ethics Commission believes that members of the Board of Supervisors are inadequately compensated and that a better process for determining the compensation of the Board should be implemented, the Ethics Commission does not believe that it is in the best interests of the Ethics Commission and the people of San Francisco to have the Ethics Commission set the salaries for the Board of Supervisors.

B. **Suggested additions to proposed Charter amendments:**

1. Advocate for measures placed on the ballot by the Ethics Commission:
Be it resolved that the Ethics Commission urges the Board of Supervisors to place before the voters a proposal clarifying the current language in the Charter to allow members and staff of the Ethics Commission to explain ballot measures placed before the voters by the Ethics Commission, and to advocate as private individuals for the passage of such measures.

2. Jurisdiction:
Be it resolved that the Ethics Commission urges the Board of Supervisors to place before the voters a Charter amendment to allow the Ethics Commission to retain jurisdiction

Gloria Young
June 13, 2001

over complaints filed with the Ethics Commission after the Commission refers the complaints to the District Attorney and the City Attorney.

The Ethics Commission is always pleased to provide the Board and individual supervisors with input and feedback on proposals that affect the Commission. We encourage and welcome more such interaction in the future. Please feel free to call me at 581-2301 if you have any questions.

Sincerely,

Ginny Vida

Ginny Vida
Executive Director

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Item 4 - File 01-0966

Proposed Charter Amendment: Charter Amendment amending Section 13.102 to allow the Board of Supervisors to establish methods and procedures for conducting runoff elections by ordinance in accordance with available technology.

Draft: First

Charter Section Affected: Section 13.102

Description: The proposed Charter Amendment would amend Section 13.102 to provide that a runoff election must be held if no candidate for any City and County elective office, except the Board of Education and the Governing Board of the Community College District, receives a majority of votes. Under the proposed Charter Amendment, the Board of Supervisors would be required by ordinance, in consultation with the Mayor, to establish the specific method for conducting such runoff elections, provided that such ordinance is adopted no fewer than 150 days (approximately five months) prior to the election that the runoff voting method would be implemented.

Currently, the Charter requires that a runoff election be held between the top two candidates for each City elective office, except the Board of Education and the Governing Board of the Community College District, if no candidate receives a majority of the votes for each elective office. The current Charter also specifies that the runoff election for the offices of Mayor, Sheriff, District Attorney, City Attorney, Treasurer or Board of Supervisors be held on the second Tuesday of the next ensuing December after the initial election. The current Charter specifies that the runoff election for the offices of Assessor-Recorder and Public Defender be held at the next general election.

The proposed Charter Amendment also provides that the City and County shall use cost effective voting methods to the greatest extent feasible under existing technology, which may include but need not be limited to, instant runoff voting, voting by mail and electronic voting. The proposed Charter Amendment would be effective January 1, 2002, and would take effect for the elections for the Assessor-Recorder and Public Defender beginning in January of 2003 (See Comment No. 5).

Comments:

1. Ms. Chris Hayashi, formerly of the City Attorney's Office assigned to the Department of Elections, previously advised the Budget Analyst that the existing Election Systems and Software (ES&S) equipment, which the Department of Elections purchased in FY 2000-2001, is technologically capable of handling an instant runoff election, where there are up to 17 candidates and one write-in candidate for a single office, without requiring significant new or additional computers or equipment costs to the City. Mr. Ara Minasian of the Department of Administrative Services reports that it is estimated to cost between $0 and $150,000 of one-time costs to make all of the existing computer and equipment systems in the Department of Elections compatible for an instant runoff election.

2. Mr. Minasian advises that a voting by mail runoff election is estimated to cost approximately $1.3 million to $1.5 million per runoff election, with most of these costs resulting from the printing and postage expenses. Given that the Department of Elections does not currently have an electronic voting system, the Department could not estimate the costs of conducting an electronic runoff election.

3. Mr. Minasian advises that the December of 1999 Mayoral Runoff Election cost approximately $1.48 million. Mr. Minasian estimates that if a December of 2001 City Attorney Runoff Election is required, it is estimated to cost approximately $2.0 million.

4. Ms. Hayashi further advised that if the Department of Elections changed the method for conducting runoff elections, the Department would need to provide additional outreach to San Francisco voters to fully explain how the new runoff election system works in order to minimize voter confusion. For example, the Department might conduct City-wide mailings, or produce public service announcements and seek other media outlets, such as Citywatch, to disseminate such information to the public. Ms. Tammy Haygood of the Department of Elections advises that such additional outreach efforts are estimated to cost approximately $250,000 initially, and would be reduced over time, as the public becomes more familiar with the new runoff voting system.

Ms. Haygood also reports that the Department of Elections would likely incur additional administrative expenses of up to $100,000 per election to provide additional training and pay for the Temporary Salary expenses for all of the pollworkers to fully understand any new runoff voting system.

5. As noted above, the proposed Charter Amendment would be effective January 1, 2002. If the proposed Charter Amendment is placed on the March of 2002 ballot, the effective date of January 1, 2002 should be changed to January 1, 2003 or another date that is after the March of 2002 election, that will allow for sufficient time for the proposed Charter Amendment to be implemented.

6. The Controller's statement on the effect on the cost of government of this proposed Charter Amendment is attached to this report. The Attachment explains that the Controller's Office advises that the fiscal impact of the proposed Charter Amendment is unknown at this time because the subject Charter Amendment would provide the Board of Supervisors, in consultation with the Mayor, the discretion to establish the method for conducting runoff elections in San Francisco. Since the decision regarding the specific

type of method that would be used for conducting the runoff elections has not yet been determined, the Controller's Office advises that it is not possible to estimate the cost of this Charter Amendment on government, at this time.

Recommendations:

1. Amend the proposed Charter Amendment to change the effective date, as discussed in Comment No. 5.

2. Approval of the proposed Charter Amendment, as amended, is a policy matter for the Board of Supervisors.

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLL

Edward Harring
Contro

Matthew H. Hy
Chief Assistant Contro

October 17, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010966 -- Charter Amendment to allow the Board of Supervisors, in consultation with the Mayor, to establish the method for conducting run-off elections by ordinance in accordance with available technology.

Dear Ms. Young:

The fiscal impact of this proposed charter amendment is unknown at this time. The amendment would provide the Board of Supervisors, in consultation with the Mayor, with the discretion to establish a method for conducting run-off elections. The amendment provides a list of possible run-off election methods but does not limit the Board of Supervisors to those methods. Since the Board's decision regarding the method for conducting run-off elections cannot be determined, it is not possible to estimate a change in the cost of government at this time.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 5 – File 01-0968

Note: This item was continued to the Call of the Chair by the Rules Committee at its meeting of July 6, 2001.

Proposed Ballot Measure: Charter Amendment amending Section 9.100 (Budget Process Ordinances) to require the Mayor, beginning in 2003 (for FY 2003-2004) to submit the proposed budget to the Board of Supervisors not later than February 28 of each year.

Draft: First

Sections Affected: Section 9.100

Description: Currently, Charter Section 9.100 defines the City's fiscal year as beginning on July 1 of each year and ending on June 30 of the following year. Section 9.100 also requires that the Board of Supervisors adopt an Interim Appropriation Ordinance not later than June 30 of each year. The Board of Supervisors is also required, under Charter Section 9.100, to adopt a final budget and Annual Appropriation Ordinance not earlier than July 15 and not later than August 1 of each year.

The Charter does not specify the date by which the Mayor's proposed budget must be submitted to the Board of Supervisors. Under Administrative Code Section 3.3 ("Budget Timetable"), the following requirement is prescribed:

> "The Mayor shall, not later than the first working day of June of each year, transmit to the Board of Supervisors consolidated budget estimates, proposed budget, detailed estimate of revenues, and estimates of amounts required to meet bond interest and fixed charges, together with his or her budget message and a draft of the annual appropriation ordinance, prepared by the Controller."

This proposed Charter Amendment would add language to Charter Section 9.100 stating that *"Beginning in 2003 (*for the FY 2003-2004 proposed budget*), the Mayor shall submit the annual proposed budget to the Board of Supervisors on or before February 28."*

Effect on the Cost of Government

As of the writing of this report, the Controller's statement on the effect on the cost of government of the proposed Charter Amendment was not available. However, the Controller's Office advises that their statement would be available for the Special Rules Committee Meeting on October 23, 2001.

The Budget Analyst notes that approval of the proposed Charter Amendment would not, in and of itself, result in increased costs to the City. However, if the extended time period for the Board of Supervisors review of the Mayor's proposed budget resulted in a policy decision to devote additional resources to such a review, increased resources could be provided by the Budget Analyst without increased expenditures through a redeployment of assignments. Alternatively, any additional resources would be subject to appropriation approval by the Board of Supervisors and the Mayor.

Comments:

1. Presently, under Charter Section 9.100 and Administrative Code Section 3.3, the Board of Supervisors has approximately one month to review the budget and to conduct budget hearings before the Finance Committee in order that the Finance Committee's recommended budget and Annual Appropriation Ordinance is transmitted to the full Board for adoption prior to the absolute deadline of not later than August 1 of each year. By receiving the Mayor's proposed budget no later than February 28 of each year, the Board of Supervisors would have an additional three months to review the budget and conduct budget hearings.

2. However, it should be noted that a proposed budget, submitted by the Mayor by February 28 of each year could be subject to substantial revision, by both the Mayor and the Board of Supervisors, based upon new or updated information, prior to the August 1 deadline for final approval by the Board of Supervisors. Budget information that is likely to change during this period would include revenue estimates, increased salary and benefits costs resulting from Memoranda of Understanding approved after February 28 of each year, and changes to the costs of non-labor expenditures

such as the recent volatility in utility prices and increased expenditures for non-profit contractors.

3. The Budget Analyst believes that additional time expended on reviewing the budget should result in a more in-depth analysis of the budget. However, the Budget Analyst believes that the precise length of time to be devoted to the annual budget review is a policy decision for the Board of Supervisors.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Item 8 - File 01-1654

Proposed Charter Amendment: Charter Amendment amending Article VI and adding Section 16.121 to (a) create the Public Advocate, (b) establish the Department of Neighborhood Empowerment, and (c) create neighborhood councils.

Draft: First

Charter Sections Affected: Article VI, Sections 6.100, 6.108, and 16.121

Description: The proposed Charter Amendment would (a) create the Public Advocate, (b) establish the Department of Neighborhood Empowerment, and (c) create neighborhood councils.

Under the proposed Charter Amendment, Article V, Section 6.100 would be amended to add "Public Advocate" to the City and County of San Francisco officers required to be elected. The Public Advocate would be elected to a four-year term, commencing in November of 2003, in the same manner as other elected officials, including the Assessor-Recorder, the City Attorney, the District Attorney, the Public Defender, the Sheriff, and the Treasurer. The role of the Public Advocate would be to:

- review complaints regarding City services and programs that are recurring, multi-neighborhood, or Citywide, and make recommendations to improve the City's response to such complaints;
- receive, investigate, and attempt to resolve individual complaints regarding City services and administrative actions of City agencies;
- inquire, on the request of a resident, taxpayer, neighborhood organization, elected official, or by his or her own motion, into any alleged failure by a City officer or agency to comply with any provision of the Charter;
- serve as an ex-officio member of City Commissions and committees of the Board of Supervisors, including introducing legislation to improve City programs and services; and

- establish programs and initiatives to assist underserved communities in gaining access to government.

The Public Advocate would administer the Department of Neighborhood Empowerment, established by the subject Charter Amendment, and would appoint a general manager subject to Board of Supervisors confirmation. The role of the Department of Neighborhood Empowerment would be to promote citizen participation in government and to make government more responsive to local needs. The Department would be responsible for preparing and implementing a plan to establish a system of neighborhood councils, including arranging a Congress of Neighborhoods meetings, and assisting neighborhood councils with selecting and training of officers and with sharing of resources.

In developing a plan for establishing neighborhood councils, the Department would be required to seek public input, develop a statement of goals, policies and objectives for the Neighborhood Council system, and develop regulations to implement the Neighborhood Council plan. The regulations would establish the method for determining neighborhood boundaries to create the Neighborhood Councils, ensure that all sections of the City have equal opportunity to create a Neighborhood Council, establish procedures for recognizing Neighborhood Councils, and require that Neighborhood Councils adopt fair and open procedures for the conduct of their business. The proposed Charter Amendment also provides that the regulations would establish procedures for receiving input from Neighborhood Councils prior to decisions by the Board of Supervisors and other City Commissions, including notifying the Neighborhood Councils of decisions before the Board of Supervisors and other City Commissions and giving Neighborhood Councils a reasonable opportunity to provide input into such decisions (see Comment 3).

Under the proposed Charter Amendment, no later than 120 days after the Public Advocate assumes office, the Board of Supervisors would be required to establish the Department of Neighborhood Empowerment and approve

appointment of the General Manager. The Mayor and the Board of Supervisors would be required to appropriate funds for the Department of Neighborhood Empowerment and the start-up of the Neighborhood Councils for the first two years after the effective date of the proposed Amendment (see Comment 2). The Mayor and the Board of Supervisors would be required to appropriate funds for the Department and the Neighborhood Councils at least one year in advance of each subsequent year (see Comments 1 and 2).

The proposed Charter Amendment would establish a Board of Neighborhood Commissioners, composed of seven commissioners. The Mayor would appoint three commissioners, the Board of Supervisors would appoint three commissioners, and the Public Advocate would appoint one commissioner. The Board of Neighborhood Commissioners would be responsible for policy setting and oversight, including the approval of contracts and leases and the promulgation of rules and regulations. However, the Board of Neighborhood Commissioners would not be responsible for day-to-day management of the Department of Neighborhood Empowerment. Additionally, the Board of Neighborhood Commissioners would be responsible for evaluating the provisions of the proposed Charter Amendment, regulations adopted pursuant to the proposed Charter Amendment, and the efficacy of the system of Neighborhood Councils, no later than seven years after the adoption of the proposed Charter Amendment. The Board of Neighborhood Commissioners would make recommendations to the Board of Supervisors regarding proposed changes to the subject Charter Amendment or to the regulations as the Board of Neighborhood Commissioners deems appropriate.

Within one year of the establishment of the Department of Neighborhood Empowerment and the Board of Neighborhood Commissioners, the Department of Neighborhood Empowerment would be required to complete the plan and necessary regulations for setting up the system of Neighborhood Councils and present the plan and regulations to the Board of Supervisors. The Board of Supervisors would be required to adopt

ordinances implementing the regulations, either as proposed or as modified by the Board of Supervisors, within six months of presentation by the Department of Neighborhood Empowerment. If the Board of Supervisors fails to adopt such ordinances, then the regulations as proposed by the Department of Neighborhood Empowerment would become effective.

Under the proposed Charter Amendment, each Neighborhood Council seeking official recognition from the City must submit an organization plan and by-laws to the Department of Neighborhood Empowerment showing (a) the method by which their officers are chosen, (b) the system through which the Neighborhood Council will communicate with stakeholders on a regular basis, and (c) a system for financial accountability of its funds. The proposed Charter Amendment also requires that the Neighborhood Council membership be open to everyone living, working or owning property in the neighborhood, be representative of the diverse interests within the neighborhood, and that the Neighborhood Council meetings be open and public, permitting stakeholders to participate in the decision-making process.

Under the proposed Charter Amendment, the Board of Supervisors may delegate its authority to Neighborhood Councils to hold public hearings prior to the Board of Supervisors making decisions on matters of local concern, subject to applicable law. Additionally, each Neighborhood Council would be able to present to the Mayor and the Board of Supervisors an annual list of priorities for the City budget. The Mayor would be required to inform the Neighborhood Councils of the deadline for submission so that the input may be considered in a timely fashion. Also, under the proposed Charter Amendment, the Neighborhood Councils would monitor the delivery of City services and meet periodically with representatives of City Departments regarding the Department's services, subject to the Department's representatives reasonable availability.

Under the proposed Charter Amendment, the Board of Supervisors would be able to adopt ordinances concerning the Neighborhood Councils, consistent with the plan

developed by the Department of Neighborhood Empowerment. Such ordinances would supercede any inconsistent regulations that have become effective pursuant to the proposed Charter Amendment.

Comments:

1. As noted previously, the proposed Charter Amendment requires that the Mayor and the Board of Supervisors appropriate funds for the Department and the Neighborhood Councils at least one year in advance of each subsequent fiscal year. This provision differs from Charter Section 9.100, which requires that the Board of Supervisors adopt the annual appropriation ordinance for the coming fiscal year between July 15 and August 1 of that fiscal year.

2. The Budget Analyst recommends amending Page 6, Section 16.121(h) to delete "City Council" and add "Board of Supervisors", so that the proposed Charter Amendment reads, "The Regulations shall establish procedures for receiving input from neighborhood councils prior to decisions by the Board of Supervisors, Board of Supervisors Committees, and boards and commissions.

3. As noted above, the proposed Charter Amendment establishes a seven-member Board of Neighborhood Commissioners. Although the proposed Charter Amendment does not specify compensation for the members of the Board of Neighborhood Commissioners, the Budget Analyst notes that the FY 2001-2002 Annual Salary Ordinance provides a stipend of $50 per member per meeting for up to two meetings per month for members of eleven existing City Commissions and $50 per member per meeting for up to four meetings per month for members of the Board of Appeals and the City Planning Commission.

4. As of the writing of this report, the cost to create a newly elected position of Public Advocate, establish, staff and operate the proposed new Department of Neighborhood Empowerment and to develop Neighborhood Councils in San Francisco cannot be determined.

The Controller's Office advises that the Controller's statement on the effect on the cost of government of this proposed Charter Amendment will be forthcoming.

Recommendations:

1. Amend Page 6, Section 16.121(h) to delete "City Council" and add "Board of Supervisors", to state, "The Regulations shall establish procedures for receiving input from neighborhood councils prior to decisions by the Board of Supervisors, Board of Supervisors Committees, and boards and commissions", in accordance with Comment 3.

2. Approval of the proposed Charter Amendment, as amended, is a policy matter for the Board of Supervisors.

Item 11 - File 01-1657

Proposed Charter Amendment:

Charter Amendment amending Sections A8.500-2, Domestic Partner Benefits to (1) no longer require the filing of a Certificate of Domestic Partnership with the Retirement System at least one full year prior to an individual's retirement on November 8, 1994, for the retirees who had filed a signed Declaration of Domestic Partnership with the County Clerk at least one full year prior to the effective date of his or her retirement, (2) state that no adjustment to a pension and no payments to a qualified surviving domestic partner shall begin before the effective date of the proposed Charter Amendment or before the first day of the month in which an application for such Domestic Partner Benefits is made to the Retirements System, whichever occurs later.

Draft:

First

Charter Section Affected:

Section A8.500-2.

Description:

Currently, City Charter Section A8.500-2, Domestic Partner Benefits, requires a retiree to file with the Retirement System a Certificate of Domestic Partnership showing that a Declaration of Domestic Partnership was filed with the County Clerk at least one full year prior to employee's retirement or the employee's death if the employee should die before retirement. Mr. Kieran Murphy of the Retirement System states that Charter Section A8.500-2 was approved by the San Francisco voters on November 8, 1994, which became the effective date of the subject Charter Section.

The proposed Charter Amendment to Section A8.500-2 would provide that, beginning on March 5, 2002, the requirement of filing a Certificate of Domestic Partnership with the Retirement System shall no longer apply to members who retired on November 8, 1994, if such member filed a signed

Declaration of Domestic Partnership with the County Clerk at least one full year prior to his or her retirement (see Comment No. 1). However, any employees who retired on November 8, 1994 would not receive any adjustments to his or her pension and no payment to a qualified surviving domestic partner would begin before the effective date of the proposed Charter Amendment or the first day of the month in which an application for such domestic partner benefits is made to the Retirement System, whichever occurs later. In other words, the proposed Charter Amendment is not retroactive to November 8, 1994.

Comments:

1. As noted above, the proposed Charter Amendment would apply only to members who were retired on November 8, 1994. Mr. Murphy advises that the purpose of the proposed Charter Amendment is to account for employees who retired on or before November 8, 1994, because such retirees would not have known that they needed to file the Certificate of Domestic Partnership with the Retirement System at least one full year immediately prior to November 8, 1994, when Charter Section A8.500-2 was approved by the San Francisco voters. Therefore, to clarify that it is the intent of the proposed Charter Amendment to apply to employees who retired on or before November 8, 1994, the Budget Analyst recommends amending page two, lines five and eight of the proposed Charter Amendment to insert the phrase "or before" so that the phrase reads, " retired on or before November 8, 1994..."

2. Mr. Murphy estimates that approximately 20 individuals would be affected by the proposed Charter Amendment. According to Mr. Murphy, the increased costs are estimated to have a lump sum present value of approximately $250,000. Mr. Murphy states that this cost would have no discernible impact on the Retirement System's funding, which had a surplus of $2.83 billion as of June 30, 2001.

3. The Controller's statement on the effect of the cost of government of this proposed Charter Amendment is forthcoming.

Recommendations:

1. In accordance with Comment No. 1 above, amend the proposed Charter Amendment as follows:

(a) on page two, line five of the proposed Charter Amendment insert the phrase "or before" after the word "on" so that the phrase reads, "retired on or before November 8, 1994..."

(b) on page two, line eight of the proposed Charter Amendment insert the phrase "or before" after the word "on" so that the phrase reads, "retired on or before November 8, 1994..."

2. Approval of the proposed Charter Amendment, as amended is a policy matter for the Board of Supervisors.

Item 13 - File 01-1659

Proposed Charter Amendment:

Charter Amendment amending Sections A8.526-1, Supplemental Cost of Living Benefit to (1) remove the provision requiring that in a fiscal year when no supplemental cost of living benefit adjustments (COLA) are paid that all prior payments of supplemental COLAs made in previous years would be deducted from that fiscal year's pension amount; (2) remove the provision requiring that supplemental COLAs made following a fiscal year in which a supplemental COLA was not paid, be based on the reduced pension levels; (3) add a provision to require that beginning June 30, 2003, any supplemental COLAs once paid to a member, cannot be reduced thereafter; and, (4) add a provision which stipulates that, beginning on June 30, 2003, subsequent to a fiscal year when there were insufficient funds to provide for a supplemental COLA, excess earnings in the Reserve Account would be required to finance only one fiscal year's increase in the supplemental COLA.

Draft:

First

Charter Section Affected:

Section A8.526-1.

Description:

Beginning on July 1, 1997, City Charter Section A8.526-1 required the Retirement Board to establish a Reserve Account within the Retirement Fund to be used to provide supplemental COLAs in addition to the COLAs provided for under Charter Section A8.526 to retirement pensions. According to Mr. Kieran Murphy of the Retirement System, Supplemental COLAs, which have been made every year since 1997, are made up of two parts: (1) fixed dollar payments, averaging $75 per month, paid to retirees and beneficiaries of retirees who retired prior to 1980; and, (2) a supplemental COLA to the regular annual COLA payments (two percent of original pensions) paid to all retirees and beneficiaries to bring the annual increase up to

three percent. Currently, Section 526-1 stipulates that if there are not sufficient funds in the Reserve Account, then all payments of supplemental COLAs made in previous years would be deducted, reducing pensions to the level they would have reached with only the regular COLAs provided under Charter Section A8.526, but without any supplemental COLAs. Additionally, Section 526-1 requires that a supplemental COLA made following a fiscal year in which a supplemental COLA was not paid, be based on the reduced pension levels and excess earnings in the Reserve Account must accumulate until there are sufficient funds to pay a full year's supplemental COLA.

The proposed Charter Amendment to Section A8.526-1 would change the current provisions of Charter A8.526-1 as follows: (1) require that, beginning on June 30, 2003, in any year in which a supplemental COLA is not paid, pensions would include both regular COLAs and prior years supplemental COLAs paid to a retiree or a beneficiary of a retiree; and, (2) stipulate that, beginning on June 30, 2003, subsequent to a fiscal year when there were insufficient funds to provide for a supplemental COLA, excess earnings in the Reserve Account would only be required to pay for a single fiscal year's supplemental COLA costs and not be required to pay for prior year supplemental COLAs.

Comments:

1. According to Mr. Murphy, Charter Section A8.526-1 was added to the City's Charter in 1997 for the purpose of allowing for enhanced COLAs to be paid to retirees and beneficiaries of retirees. Mr. Murphy advises that the purpose of the proposed Charter Amendment is to prevent retiree pensions from being reduced in any given fiscal year and to ensure a three percent COLA per year for retirees and beneficiaries of retirees. Mr. Murphy advises that a three percent COLA is generally equal to or greater than the COLAs available to retirees of other public retirement plans in California.

2. Mr. Murphy advises that supplemental COLAs have been paid to San Francisco retirees every year since FY 1997-1998 and that there currently are sufficient funds in the Reserve Account to pay for supplemental COLAs through June 30, 2003.

3. According to Mr. Murphy, the costs of the proposed Charter Amendment would result from the removal of the provision that reduces pension payments in those years in which supplemental COLAs are not paid. Mr. Murphy advises that the costs can be broken into two parts: (a) a permanent annual increase in the Retirement System's normal on-going expenses of $7,400,000 in today's dollars or approximately 0.43 percent of salaries per year for existing employees to cover the future costs of their retirement; and (b) a lump sum increase in the Retirement System's liabilities of approximately $163,000,000, which will reduce the Retirement Fund surplus from approximately $2.83 billion to approximately $2.67 billion. Mr. Murphy notes that the Retirement Fund is currently over-funded by approximately $2.83 billion, but if the Retirement Funds did not have a surplus then the City's contributions to the Retirement System would have to increase by approximately $11,700,000 per year for the next 20 years, to fund the proposed Charter Amendment. Mr. Murphy further advises that the City has not contributed to the Retirement System for the past five fiscal years because the Retirement Fund was over-funded and such contributions were not needed.

4. The Controller's statement on the effect on the cost of government of this proposed Charter Amendment is forthcoming.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Item 14 – File 01-1660

Proposed Charter Amendment: Charter Amendment to provide for the election of the Sheriff, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors using a ranked-choice, or "instant run-off" ballot, to require that City voting systems be compatible with a ranked-choice ballot system and setting a date and conditions for implementation.

Draft: First

Charter Sections Affected: Amending Sections 13.101 and 13.102 and adding a new Section 13.102.5

Description: Currently, the Charter requires that if a candidate does not receive a majority of the votes, a runoff election must be held between the top two candidates for the City elective offices of the Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors. The Charter currently specifies that the runoff election be held on the second Tuesday of the next ensuing December after the initial election for the offices of the Mayor, Sheriff, District Attorney, City Attorney, Treasurer or Board of Supervisors. The runoff election for the offices of Assessor-Recorder and Public Defender are called for at the next general election.

The proposed Charter Amendment would amend these provisions to provide for the election of the Sheriff, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors using a ranked-choice or instant runoff ballot. Under this ranked-choice or instant runoff ballot, San Francisco voters would be allowed to rank a number of choices in order of preference, either equal to the number of candidates for that office, including write-in candidates, or limited to no fewer than three choices, provided that the voting system or equipment could accommodate that number of choices. The instant runoff voting

system produces a majority winner in a single election by simulating a series of runoff elections.

If a candidate receives a majority of the voter's first choices, then that candidate would be elected. However, if no candidate receives a majority of the votes, the candidate who received the fewest first choice votes would be eliminated and the second choice votes cast for that candidate would be transferred to the next ranked candidate on that voter's ballot. If after this transfer of votes, any candidate receives a majority of the votes, that candidate would be elected. Again, if no candidate receives a majority of the votes, the process would continue such that each candidate with the fewest votes would be eliminated, and the second, third, or subsequent votes for that candidate would be transferred to the next-ranked candidate on each voter's ballot, until a candidate receives a majority of the votes.

The proposed Charter Amendment also provides that the Department of elections conduct voter education campaigns to familiarize voters with the instant runoff method of voting and that any future voting systems or equipment acquired by the City have the capability to accommodate the proposed instant runoff balloting.

According to the proposed Charter Amendment, the instant runoff ballot would be used for the General Municipal Election in November of 2002 and all subsequent elections for Sheriff, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors. However, if the Director of Elections certifies to the Board of Supervisors and the Mayor no later than July 1, 2002 that the Department of Elections cannot implement the proposed instant runoff elections by November of 2002, then the City could delay the implementation for one year, until the November of 2003 General Municipal Election.

Under the proposed Charter Amendment, separate runoff elections would continue to be held on the

second Tuesday of the next ensuing December for the offices of the Mayor, District Attorney and City Attorney.

Comments:

1. Ms. Chris Hayashi, formerly of the City Attorney's Office assigned to the Department of Elections, previously advised the Budget Analyst that the existing Election Systems and Software (ES&S) equipment, which the Department of Elections purchased in FY 2000-2001, is technologically capable of handling an instant runoff election, where there are up to 17 candidates and one write-in candidate for a single office, without requiring significant new or additional computers or equipment costs to the City. Mr. Ara Minasian of the Department of Administrative Services reports that it is estimated to cost between $0 and $150,000 of one-time costs to make all of the existing computer and equipment systems in the Department of Elections compatible for an instant runoff election.

2. Ms. Hayashi further advised that if the Department of Elections changed the method for conducting runoff elections, the Department would need to provide additional outreach to San Francisco voters to fully explain how the new runoff election system works in order to minimize voter confusion. For example, the Department might conduct City-wide mailings, or produce public service announcements and seek other media outlets, such as Citywatch, to disseminate such information to the public. Ms. Tammy Haygood of the Department of Elections advises that such additional outreach efforts are estimated to cost approximately $250,000 initially, and would be reduced over time, as the public becomes more familiar with the new runoff voting system.

Ms. Haygood also reports that the Department of Elections would likely incur additional administrative expenses of up to $100,000 per election to provide additional training and pay for the Temporary Salary expenses for all of the

pollworkers to fully understand any new runoff voting system.

3. Mr. Minasian advises that the December of 1999 Mayoral Runoff Election cost approximately $1.48 million. Mr. Minasian estimates that if a December of 2001 City Attorney Runoff Election is required, it is estimated to cost approximately $2.0 million.

4. The Budget Analyst notes that the proposed Charter Amendment would still require separately held runoff elections for the offices of the Mayor, District Attorney and City Attorney. Mr. Minasian confirms that requiring these three elective offices to continue to hold separate runoff elections, while providing that the offices of the Sheriff, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors would change to ranked-choice or instant runoff ballots, will potentially negate the fiscal benefits of having instant runoff elections in San Francisco.

5. The Controller's statement on the effect on the cost of government of this proposed Charter Amendment is forthcoming.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

for Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Ben Rosenfield

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City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, October 25, 2001 **9:00 AM** **Legislative Chambers - Second Floor**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

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The meeting convened at 9:07 am.

REGULAR AGENDA

010907 **[Charter Amendment - Noncitizens on City Boards, Commissions, and Advisory Bodies]**
Supervisor Gonzalez

Charter amendment (First Draft) to amend Section 4.101 to permit noncitizens to serve on appointive boards, commissions, and advisory bodies.

5/14/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/13/2001.
6/22/01, CONTINUED. Heard in Committee. Speaker: none.

Continued to August 16, 2001.
10/23/01, AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; male; Chris Bowman.
10/23/01, CONTINUED. Continued to November 1, 2001.

This item was continued to November 1, 2001 at the Rules Committee meeting of October 23, 2001.

010961 **[Member, Board of Supervisors]**

Supervisors Gonzalez, Hall

Charter amendment (First Draft) to amend Section 2.100, add Section 15.109 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Supervisors' salary will be set by the Ethics Commission. The Ethics Commission will receive and consider a survey regarding salaries of comparable public sector positions found in the State of California, and will review and reconsider the Supervisors' salary every two years.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/22/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Kate Favetti, Executive Director, Civil Service Commission.

10/23/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Kate Favetti, Executive Director, Civil Service Commission; Frederick Hobson; Chris Bowman; Ginny Vida, Executive Director, Ethics Commission; John Kennedy, Deputy City Attorney; Charlie Marsteller.

On October 23, 2001 this item was continued to the Call of the Chair.

010964 **[Appointments to the Planning Commission and the Board of Appeals]**

Supervisors Gonzalez, McGoldrick, Daly

Charter amendment (First Draft) to amend Section 4.105 to provide that appointments to the Planning Commission shall be shared by the Mayor and the Board of Supervisors.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, CONTINUED. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick. Continued to July 6, 2001.

7/6/01, CONTINUED TO CALL OF THE CHAIR.

10/23/01, CONTINUED. Heard in Committee. Speakers: Supervisor Jake McGoldrick; John Kennedy, Deputy City Attorney; Ernestine Weiss; John Bardis; Chris Bowman.

Continued to October 25, 2001.

Heard in Committee. Speakers: John Shaw; Supervisor Jake McGoldrick; Chris Bowman; John Kennedy, Deputy City Attorney; Buck Delventhal, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to amend Section 4.105 and 4.106 to provide that appointments to the Planning Commission and the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

Continued to November 1, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010966 **[Runoff Elections]**

Supervisor Leno

Charter amendment (First Draft) to amend Section 13.102 to allow the Board of Supervisors to establish the methods and procedures for conducting runoff elections by ordinance with available technology.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

10/23/01. TABLED.

This items was tabled at the Rules Committee Meeting of October 23, 2001.

010968 [Mayor's Budget deadline]

Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 9.100 to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than February 28 of each year.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001

6/29/01, CONTINUED Heard in Committee. Speaker: Supervisor Jake McGoldrick; Buck Delventhal, Deputy City Attorney. Continued to July 6, 2001.

7/6/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor Jake McGoldrick; Steve Kawa, Mayor's Office; John Bardis; Peg Stevenson, Controller's Office; Buck Delventhal.

10/23/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Jake McGoldrick; Peg Stevenson, Office of the Controller; Debra Newman, Budget Analysts Office; John Kennedy, Deputy City Attorney; John Abalos; Ernestine Weiss; Chris Bowman; Frederick Hobson; John Bardis.

10/23/01, CONTINUED. Continued to November 1, 2001.

This item was continued to November 1, 2001 at the Rules Committee meeting of October 23, 2001.

010969 [Board of Appeals appointments]

Supervisors McGoldrick, Leno, Maxwell, Sandoval, Gonzalez, Daly, Ammiano, Hall

Charter amendment (First Draft) to amend Section 4.106 to provide that appointments to the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick.

6/29/01, CONTINUED. Continued to July 6, 2001.

7/6/01, CONTINUED TO CALL OF THE CHAIR.

10/23/01, CONTINUED. Heard in Committee. Speakers: Supervisor Jake McGoldrick; John Kennedy, Deputy City Attorney; Ernestine Weiss; John Bardis; Chris Bowman.

Continued to October 25, 2001.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011653 [Charter Amendment - Ethics Commission]

Supervisor Ammiano

Charter amendment (First Draft) to amend Section 15.100 to allow the Ethics Commission to place ballot arguments in the Voter Information Pamphlet regarding ballot measures that affect the Commission's structure, authority or jurisdiction, or ballot measures placed on the ballot by or at the request of the Commission.

9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

Heard in Committee. Speakers: Ginny Vida, Ethics Commission; John Kennedy, Deputy City Attorney; Chris Bowman.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011654 **[Public Advocate; Department of Neighborhood Empowerment]**

Supervisor Daly

Charter amendment (First Draft) to amend Article VI and add Section 16.121 to create the Public Advocate; to establish the Department of Neighborhood Empowerment; and to create neighborhood councils.

(Fiscal impact.)

9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

Heard in Committee. Speakers: Richard Ow; Bill Barnes, aide to Supervisor Daly; Debra Newman, Budget Analysts Office; Peg Stevenson, Controllers Office.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to amend Section 6.100 and adding Section 6.108 and 16.121 to create the Public Advocate, establish the Department of Neighborhood Empowerment and create neighborhood councils.

(fiscal impact)

DIVIDED.

Divided to create File No. 011957 and 011958.

Continued to November 1, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011957 **[Public Advocate]**

Charter amendment (First Draft) to amend Section 6.100 and adding Section 6.108 to create the Public Advocate.

Divided from File No. 011654.

Continued to November 1, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011958 **[Department of Neighborhood Empowerment]**

Charter amendment (First Draft) to add section 16.121 to establish the Department of Neighborhood Empowerment and create neighborhood councils.

Divided from File No. 011654.

Continued to November 1, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011655 [Charter Amendment - Redrawing Supervisorial District Lines]

Supervisor Gonzalez

Charter amendment (First Draft) to amend Section 13.110 in order (1) to establish new supervisorial district lines; (2) to provide that an Elections Task Force shall redraw district lines following the 2010 federal census and thereafter; (3) to designate new appointing authorities for the Elections Task Force; (4) to require the use of adjusted census figures in redistricting supervisorial districts; (5) to increase the allowable population deviation between districts; and (6) to set deadlines after the 2010 federal census for appointment of the Elections Task Force and for completion of redistricting.

9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011656 [Charter Amendment - Public Utilities Commissioners]

Supervisor Hall

Charter amendment (First Draft) to amend Section 4.112 to require each Public Utilities Commissioner to meet specific qualifications for appointment.

9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011657 [Charter Amendment - Domestic Partner Benefits]

Supervisor Leno

Charter amendment (First Draft) to amend Appendix 8.500-2, relating to domestic partner benefits.

9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

Heard in Committee. Speakers: Supervisor Mark Leno; Debra Newman, Budget Analysts Office; Kerin Murphy, Retirement System; John Kennedy, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Charter amendment (Second Draft) to amend Appendix 8.500-2, relating to domestic partner benefits.

Continued to November 1, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011658 [Charter Amendment - Building Inspection Commission]

Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 4.121 to revise the allocation of appointments by the Mayor and the Board of Supervisors to the Building Inspection Commission.

9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

Continued to November 1, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011659 **[Charter Amendment - Cost of Living Benefits for Retirees]**

Supervisors McGoldrick, Hall

Charter amendment (First Draft) to amend Appendix A8.526-1, relating to supplemental cost of living benefits for retirees and their survivors.

(Fiscal impact.)

9/17/01. ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

Heard in Committee. Speakers: Supervisor Jake McGoldrick; Debra Newman, Budget Analysts Office; John Madden; Nancy June; Tim O'Brien, Retired Firemen and Widows Association; Anthony Sacco; John Lehane; John Kennedy, Deputy City Attorney.

RECOMMENDED "DO SUBMIT" by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011660 **[Charter Amendment - Runoff Voting for Elective Offices]**

Supervisor McGoldrick

Charter amendment (First Draft) to amend Sections 13.101 and 13.102 and add new Section 13.102.5 to provide for the election of the Sheriff, Treasurer, Assessor-Recorder, Public Defender, and members of the Board of Supervisors using a ranked-choice, or "instant run-off," ballot, to require that City voting systems be compatible with a ranked-choice ballot system, and setting a date and conditions for implementation.

9/17/01. ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

Continued to November 1, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 1:35 pm.

[Budget Analyst Report]
Susan Hom
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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

October 29, 2001

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TO: Rules Committee

FROM: Budget Analyst

SUBJECT: November 1, 2001 Rules Committee Meeting

Item 4 – File 01-0968

Note: This item was amended to change the date that the Mayor must submit the annual budget to the Board of Supervisors from on or before February 28 to on or before April 15 and was continued from the Special Rules Committee Meeting on October 23, 2001.

Proposed Ballot Measure: Charter Amendment amending Section 9.100 (Budget Process Ordinances) to require the Mayor, beginning in 2003 (for FY 2003-2004) to submit the proposed budget to the Board of Supervisors on or before April 15 of each year.

Draft: Second

Sections Affected: Section 9.100

Description: Currently, Charter Section 9.100 defines the City's fiscal year as beginning on July 1 of each year and ending on June 30 of the following year. Section 9.100 also requires that the Board of Supervisors adopt an Interim Appropriation Ordinance not later than June 30 of each year. The Board of Supervisors is also required, under Charter Section 9.100, to adopt a final budget and Annual Appropriation Ordinance

not earlier than July 15 and not later than August 1 of each year.

The Charter does not specify the date by which the Mayor's proposed budget must be submitted to the Board of Supervisors. Under Administrative Code Section 3.3 ("Budget Timetable"), the following requirement is prescribed:

> "The Mayor shall, not later than the first working day of June of each year, transmit to the Board of Supervisors consolidated budget estimates, proposed budget, detailed estimate of revenues, and estimates of amounts required to meet bond interest and fixed charges, together with his or her budget message and a draft of the annual appropriation ordinance, prepared by the Controller."

This proposed Charter Amendment would add language to Charter Section 9.100 stating that "*Beginning in 2003 (*for the FY 2003-2004 proposed budget*), the Mayor shall submit the annual proposed budget to the Board of Supervisors on or before April 15."*

Effect on the Cost of Government

The Attachment contains the Controller's statement on the effect on the cost of government of the proposed Charter Amendment, assuming that the Mayor was required to submit the annual proposed budget to the Board of Supervisors on or before February 28. As noted above, on October 23, 2001, the Rules Committee amended this Charter Amendment to change the date that the Mayor would be required to submit the annual proposed budget to the Board of Supervisors from on or before February 28 to on or before April 15. As discussed in the Attachment, assuming a date of no later than February 28, the Controller's Office advises that the subject Charter Amendment is likely to result in a cost of approximately $1,100,000, including less than half such costs for Budget Analyst services, with the remaining costs for additional departmental analytical staff for the 16 larger City departments, one additional Controller position and one additional Clerk of the Board staff position. However, the Controller's Office advises that, depending on how the Board of Supervisors chooses to carry out the proposed

expanded budget process, and on the decisions that result from this process, such that further budget reductions might result, the overall net cost to the City resulting from the proposed Charter Amendment could either increase or decrease. Ms. Peg Stevenson of the Controller's Office advises that the Controller's Office will revise the Attachment or prepare new estimates of the costs of the proposed Charter Amendment, once the Board of Supervisors have approved final amendments to the subject legislation.

The Budget Analyst notes that approval of the proposed Charter Amendment would not, in and of itself, result in increased costs to the City. However, if the extended time period for the Board of Supervisors review of the Mayor's proposed budget resulted in a policy decision to devote additional resources to such a review, increased resources could be provided by the Budget Analyst without increased expenditures through a redeployment of existing assignments. Alternatively, any additional resources would be subject to appropriation approval by the Board of Supervisors and the Mayor.

Comments:

1. Presently, under Charter Section 9.100 and Administrative Code Section 3.3, the Board of Supervisors has approximately one month to review the budget and to conduct budget hearings before the Finance Committee in order that the Finance Committee's recommended budget and Annual Appropriation Ordinance is transmitted to the full Board for adoption prior to the absolute deadline of not later than August 1 of each year. By receiving the Mayor's proposed budget no later than April 15 of each year, the Board of Supervisors would have an additional one and one-half months to review the budget and conduct budget hearings.

2. However, it should be noted that a proposed budget, submitted by the Mayor by April 15 of each year could be subject to substantial revision, by both the Mayor and the Board of Supervisors, based upon new or updated information, prior to the August 1 deadline for final approval by the Board of Supervisors. Budget information that is likely to change during this period could include revenue estimates, increased salary and benefits costs resulting from

Memoranda of Understanding approved after April 15 of each year, and changes to the costs of non-labor expenditures such as the recent volatility in utility prices and increased expenditures for non-profit contractors.

3. The Budget Analyst believes that additional time expended on reviewing the budget should result in a more in-depth analysis of the budget. However, the Budget Analyst believes that the precise length of time to be devoted to the annual budget review is a policy decision for the Board of Supervisors.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Attachment

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLER

Edward Harrington
Controller

Matthew H. Hymel
Chief Assistant Controller

October 17, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 010968 -- Proposed Charter Amendment to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than February 28 of each year.

Dear Ms. Young,

Should the proposed charter amendment be approved by the voters, in my opinion, there could be an increase or decrease in the cost of government. The amendment specifies that the Mayor must submit the City's annual budget to the Board of Supervisors for review no later than February 28. Based on this calendar, the amendment is likely to result in a cost of approximately $1,100,000. This cost would provide for approximately three months of professional staff time for the Board of Supervisors based on the rates represented by the Budget Analyst's current contract, some additional budget staff time for large and complex city departments, and technical staff time for analysis and other services needed under an expanded Board budget process. However, depending on how the Board chooses to carry out an expanded budget process, and on the decisions that result from this process, the overall net cost to the City resulting from this amendment could increase or decrease.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 5 - File 01-1654

Note: This is the second draft of File 01-1654, which was continued from the October 25, 2001 Special Rules Committee Meeting.

Proposed Charter Amendment: Charter Amendment amending Article VI and adding Section 16.121 to (a) create the Public Advocate, (b) establish the Department of Neighborhood Empowerment, and (c) create neighborhood councils.

Draft: Second

Charter Sections Affected: Article VI, Sections 6.100, 6.108, and 16.121

Description: The proposed Charter Amendment would (a) create the Public Advocate, (b) establish the Department of Neighborhood Empowerment, and (c) create neighborhood councils.

Under the proposed Charter Amendment, Article V, Section 6.100 would be amended to add "Public Advocate" to the City and County of San Francisco officers required to be elected. The Public Advocate would be elected to a four-year term, commencing in November of 2003, in the same manner as other elected officials, including the Assessor-Recorder, the City Attorney, the District Attorney, the Public Defender, the Sheriff, and the Treasurer. The role of the Public Advocate would be to:

- Review complaints regarding City services and programs that are recurring, multi-neighborhood, or Citywide, and make recommendations to improve the City's response to such complaints.
- Receive, investigate, and attempt to resolve individual complaints regarding City services and administrative actions of City agencies, except for those which (i) another City agency is required by law to adjudicate, (ii) may be resolved through a grievance mechanism established by collective bargaining agreement or contract, or (iii) involve allegations of conduct which may constitute a violation of criminal law or a governmental ethics law.

- Inquire, on the request of a resident, taxpayer, neighborhood organization, elected official, or by his or her own motion, into any alleged failure by a City officer or agency to comply with any provision of the Charter, except for those matters which involve conduct which may constitute a violation of criminal law or a governmental ethics code. If the Public Advocate concludes that there is any substantial failure to comply with any provision of the Charter, the Public Advocate will submit a preliminary report to the City official or agency involved in the inquiry and submit a final report to the Board of Supervisors, Mayor and City agency documenting the conclusions of the inquiry.
- Serve as a non-voting ex-officio member of City Commissions and committees of the Board of Supervisors, including introducing legislation to improve City programs and services. The Public Advocate may attend closed sessions of the Board of Supervisors and City Commissions, except for those sessions pertaining to personnel matters or closed Ethics Commission sessions pertaining to the Public Advocate.
- Establish programs and initiatives to assist underserved communities in gaining access to government.

Under the proposed Charter Amendment, the Public Advocate would be required to refer any allegation or complaint that may constitute a violation of criminal law or a governmental ethics law to the District Attorney. Additionally, when conducting an inquiry, the Public Advocate would be required to provide a draft report of the findings to the City official or agency involved in the inquiry and include any comments by the City official or agency in the final public report. Under the proposed Charter Amendment, the Public Advocate could hold public hearings in the course of fulfilling the obligations of the office of the Public Advocate and would be required to present to the Board of Supervisors prior to October 31 of each year a report on the activities of the office of the Public Advocate during the preceding fiscal year.

The Public Advocate would administer the Department of Neighborhood Empowerment, established by the subject Charter Amendment, and would appoint a general manager subject to Board of Supervisors confirmation. The role of the Department of Neighborhood Empowerment would be to promote citizen participation in government and to make government more responsive to local needs. The Department would be responsible for preparing and implementing a plan to establish a system of neighborhood councils, including arranging a Congress of Neighborhoods meetings, and assisting neighborhood councils with selecting and training of officers and with sharing of resources.

In developing a plan for establishing neighborhood councils, the Department would be required to seek public input, develop a statement of goals, policies and objectives for the Neighborhood Council system, and develop regulations to implement the Neighborhood Council plan. The regulations would establish the method for determining neighborhood boundaries to create the Neighborhood Councils, ensure that all sections of the City have equal opportunity to create a Neighborhood Council, establish procedures for recognizing Neighborhood Councils, and require that Neighborhood Councils adopt fair and open procedures for the conduct of their business. The proposed Charter Amendment also provides that the regulations would establish procedures for receiving input from Neighborhood Councils prior to decisions by the Board of Supervisors and other City Commissions, including notifying the Neighborhood Councils of decisions before the Board of Supervisors and other City Commissions and giving Neighborhood Councils a reasonable opportunity to provide input into such decisions (see Comment 1).

Under the proposed Charter Amendment, no later than 120 days after the Public Advocate assumes office, the Board of Supervisors would be required to establish the Department of Neighborhood Empowerment and approve appointment of the General Manager. The Mayor and the Board of Supervisors would be required to appropriate funds for the Department of Neighborhood Empowerment and the start-up of the Neighborhood Councils for the first

two years after the effective date of the proposed Amendment.

The proposed Charter Amendment would establish a Board of Neighborhood Commissioners, composed of seven commissioners. The Mayor would appoint three commissioners, the Board of Supervisors would appoint three commissioners, and the Public Advocate would appoint one commissioner. The Board of Neighborhood Commissioners would be responsible for policy setting and oversight, including the approval of contracts and leases and the promulgation of rules and regulations. However, the Board of Neighborhood Commissioners would not be responsible for day-to-day management of the Department of Neighborhood Empowerment. Additionally, the Board of Neighborhood Commissioners would be responsible for evaluating the provisions of the proposed Charter Amendment, regulations adopted pursuant to the proposed Charter Amendment, and the efficacy of the system of Neighborhood Councils, no later than seven years after the adoption of the proposed Charter Amendment. The Board of Neighborhood Commissioners would make recommendations to the Board of Supervisors regarding proposed changes to the subject Charter Amendment or to the regulations as the Board of Neighborhood Commissioners deems appropriate.

Within one year of the establishment of the Department of Neighborhood Empowerment and the Board of Neighborhood Commissioners, the Department of Neighborhood Empowerment would be required to complete the plan and necessary regulations for setting up the system of Neighborhood Councils and present the plan and regulations to the Board of Supervisors. The Board of Supervisors would be required to adopt ordinances implementing the regulations, either as proposed or as modified by the Board of Supervisors, within six months of presentation by the Department of Neighborhood Empowerment. If the Board of Supervisors fails to adopt such ordinances, then the regulations as proposed by the Department of Neighborhood Empowerment would become effective.

Under the proposed Charter Amendment, each Neighborhood Council seeking official recognition from the City must submit an organization plan and by-laws to the Department of Neighborhood Empowerment showing (a) the method by which their officers are chosen, (b) the system through which the Neighborhood Council will communicate with stakeholders on a regular basis, and (c) a system for financial accountability of its funds. The proposed Charter Amendment also requires that the Neighborhood Council membership be open to everyone living, working or owning property in the neighborhood, be representative of the diverse interests within the neighborhood, and that the Neighborhood Council meetings be open and public, permitting stakeholders to participate in the decision-making process.

Under the proposed Charter Amendment, the Board of Supervisors may delegate its authority to Neighborhood Councils to hold public hearings prior to the Board of Supervisors making decisions on matters of local concern, subject to applicable law. Additionally, each Neighborhood Council would be able to present to the Mayor and the Board of Supervisors an annual list of priorities for the City budget. The Mayor would be required to inform the Neighborhood Councils of the deadline for submission so that the input may be considered in a timely fashion. Also, under the proposed Charter Amendment, the Neighborhood Councils would monitor the delivery of City services and meet periodically with representatives of City Departments regarding the Department's services, subject to the Department's representatives reasonable availability.

Under the proposed Charter Amendment, the Board of Supervisors would be able to adopt ordinances concerning the Neighborhood Councils, consistent with the plan developed by the Department of Neighborhood Empowerment. Such ordinances would supercede any inconsistent regulations that have become effective pursuant to the proposed Charter Amendment.

Comments:

1. As noted above, the proposed Charter Amendment establishes a seven-member Board of Neighborhood Commissioners. Although the proposed Charter

Amendment does not specify compensation for the members of the Board of Neighborhood Commissioners, the Budget Analyst notes that the FY 2001-2002 Annual Salary Ordinance provides a stipend of $50 per member per meeting for up to two meetings per month for members of eleven existing City Commissions and $50 per member per meeting for up to four meetings per month for members of the Board of Appeals and the City Planning Commission.

2. As noted in the Attachment, provided by the Controller's Office, the Controller estimates that the cost of the Public Advocate's salary and funds to operate a Board of Neighborhood Commissioners to be a minimum of approximately $296,000 annually. Additionally, the Controller's Office advises that the new proposed Department of Neighborhood Empowerment would have a General Manager and would require support and professional staff to carry out the functions of receiving and acting on citizen complaints and administering the formation and functioning of neighborhood councils. The Controller's Office has not made a specific cost estimate of the proposed Department of Neighborhood Empowerment.

3. According to the New York City Office of the Public Advocate,[1] the cost of the Office per New York City resident is $0.30 per person per year. Based on this estimate of $0.30 per person per year, the Budget Analyst notes that a comparable Office of the Public Advocate in San Francisco would cost an estimated $233,020 per year, based on a population of 776,733.[2] Further, the City of Los Angeles Department of Neighborhood Empowerment has an annual budget of $2,409,205 for a population of 3,694,820, based on the 2000 United States Census, resulting in an annual per person cost for the Department of Neighborhood Empowerment, including the Board of Neighborhood Commissioners and the Neighborhood Councils, of $0.65 per person per year. Therefore, the

[1] Green, Mark, and Eisner, Laurel M., "The Public Advocate for New York City: An Analysis of the Country's Only Elected Ombudsman", *New York Law School Law Review, Volume 42, Numbers 3 and 4, 1998.*

[2] According to the 2000 United States Census, the population of the City and County of San Francisco is 776,733.

Budget Analyst notes that the estimated annual cost of the proposed Department of Neighborhood Empowerment would be approximately $504,876. The proposed Charter Amendment incorporates functions of both the New York City Office of the Public Advocate and the City of Los Angeles Department of Neighborhood Empowerment.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Edward Harrin
Contr

Matthew H. H
Chief Assistant Contr

October 24, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 011654
Proposed Charter Amendment to create an elected Office of the Public Advocate, establish the Department of Neighborhood Empowerment, and to provide for neighborhood councils

Dear Ms. Young:

Should the proposed charter amendment be approved by the voters, in my opinion, there would be an increase in the cost of government associated with establishing the new Public Advocate and Department of Neighborhood Services. The new department would include, at minimum, the Public Advocate's salary and funds to operate a Commission, at an approximate cost of $296,000.

The new department would have a General Manager, and would also require support and professional staff to carry out the functions of receiving and acting on citizen complaints, and administering the formation and functioning of neighborhood councils. The operating cost of the department would vary greatly depending on how these functions are carried out. For comparative purposes, the Public Advocate's Office for the City of New York, which has some but not all of the functions specified under the proposed amendment, has an operating budget of approximately $2.2 million and a staff of approximately 35 full time employees to serve a population approximately eight times the size of San Francisco. A more specific cost estimate can be developed when further information is available on the proposed configuration of the new department.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 6 - File 01-1957

Note: File 01-1654 was continued from the October 25, 2001 Special Rules Committee meeting and divided into two additional files; the subject File 01-1957, which only addresses issues concerning the Public Advocate, and File 01-1958, which only addresses issues concerning the Department of Neighborhood Empowerment and Neighborhood Councils.

Proposed Charter Amendment: Charter Amendment amending Article VI, Section 6.100 and adding Section 6.108 to create the Public Advocate.

Draft: Second

Charter Sections Affected: Article VI, Sections 6.100, and 6.108

Description: The proposed Charter Amendment would create the Public Advocate. Under the proposed Charter Amendment, Article V, Section 6.100 would be amended to add "Public Advocate" to the City and County of San Francisco officers required to be elected. The Public Advocate would be elected to a four-year term, commencing in November of 2003, in the same manner as other elected officials, including the Assessor-Recorder, the City Attorney, the District Attorney, the Public Defender, the Sheriff, and the Treasurer. The role of the Public Advocate would be to:

- Review complaints regarding City services and programs that are recurring, multi-neighborhood, or Citywide, and make recommendations to improve the City's response to such complaints.
- Receive, investigate, and attempt to resolve individual complaints regarding City services and administrative actions of City agencies, except for those which (i) another City agency is required by law to adjudicate, (ii) may be resolved through a grievance mechanism established by collective bargaining agreement or contract, or (iii) involve allegations of conduct which may constitute a violation of criminal law or a governmental ethics law.
- Inquire, on the request of a resident, taxpayer, neighborhood organization, elected official, or by his or

her own motion, into any alleged failure by a City officer or agency to comply with any provision of the Charter, except for those matters which involve conduct which may constitute a violation of criminal law or a governmental ethics code. If the Public Advocate concludes that there is any substantial failure to comply with any provision of the Charter, the Public Advocate will submit a preliminary report to the City official or agency involved in the inquiry and submit a final report to the Board of Supervisors, Mayor and City agency documenting the conclusions of the inquiry.

- Serve as a non-voting ex-officio member of City Commissions and committees of the Board of Supervisors, including introducing legislation to improve City programs and services. The Public Advocate may attend closed sessions of the Board of Supervisors and City Commissions, except for those sessions pertaining to personnel matters or closed Ethics Commission sessions pertaining to the Public Advocate.
- Establish programs and initiatives to assist underserved communities in gaining access to government.

Under the proposed Charter Amendment, the Public Advocate would be required to refer any allegation or complaint that may constitute a violation of criminal law or a governmental ethics law to the District Attorney. Additionally, when conducting an inquiry, the Public Advocate would be required to provide a draft report of the findings to the City official or agency involved in the inquiry and include any comments by the City official or agency in the final public report. Under the proposed Charter Amendment, the Public Advocate could hold public hearings in the course of fulfilling the obligations of the office of the Public Advocate and would be required to present to the Board of Supervisors prior to October 31 of each year a report on the activities of the office of the Public Advocate during the preceding fiscal year.

Comments:

1. The Public Advocate for New York City is an elected position, established in 1994. The New York City Public Advocate, who is elected for a term of four years, serves as

(a) the presiding officer of the City Council but votes only in the case of a tie, and (b) an ombudsman responsible for resolving individual grievances, investigating and reporting on recurring and citywide grievances, performing discretionary reviews of city agencies, and monitoring the public information and service complaint programs of city agencies. The Budget Analyst notes that the New York City Public Advocate differs from the Public Advocate, created by the proposed Charter Amendment, in that, under the proposed Charter Amendment, the proposed Public Advocate would not preside over the Board of Supervisors or have voting privileges and would not be responsible for performing discretionary reviews of City agencies. The New York Public Advocate does not have jurisdiction over grievances arising under collective bargaining agreements, violations of criminal law, or evidence of conflicts of interest, which is comparable to the jurisdiction of the Public Advocate under the proposed Charter Amendment. New York City agencies are also required to respond to the Public Advocate's requests for documents in a timely fashion. Under the proposed Charter Amendment, which contains a comparable provision, the Public Advocate would have timely access to all records and documents which the Public Advocate deems necessary to complete an inquiry.

2. According to the Controller's Office, the New York City Office of the Public Advocate contains approximately 35 full-time staff and has an annual budget of approximately $2,200,000. The New York City Office of the Public Advocate includes community liaison staff, policy analysts for education and health, research and investigation staff, ombudsmen, and support staff. According to the New York City Office of the Public Advocate, the cost of the Office per New York City resident is $0.30 per person per year[1]. Based on this estimate of $0.30 per person per year, the Budget Analyst notes that a comparable Office of the Public Advocate in San Francisco would cost

[1] Green, Mark, and Eisner, Laurel M., "The Public Advocate for New York City: An Analysis of the Country's Only Elected Ombudsman", *New York Law School Law Review, Volume 42, Numbers 3 and 4, 1998.*

approximately $233,020 per year, based on a population of 776,733.[2]

3. Ms. Peg Stevenson of the Controller's Office advises that the Controller's Office will revise or prepare new cost estimates of the subject Charter Amendment, once the Board of Supervisors has completed their amendments to the subject legislation.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

[2] According to the 2000 United States Census , the population of the City and County of San Francisco is 776,733.

Item 7 - File 01-1958

Note: File 01-1654 was continued from the October 25, 2001 Special Rules Committee meeting and divided into two additional files; the subject File 01-1958, which only addresses issues concerning the Department of Neighborhood Empowerment and the Neighborhood Councils, and File 01-1957, which only addresses issues concerning the Public Advocate.

Proposed Charter Amendment: Charter Amendment amending Article VI by adding Section 16.121 to establish the Department of Neighborhood Empowerment, and create neighborhood councils.

Draft: Second

Charter Sections Affected: Article VI, Sections 6.100, and 16.121

Description: The proposed Charter Amendment would establish the Department of Neighborhood Empowerment, and create neighborhood councils to promote more citizen participation in government and make government more efficient to local needs. Under the proposed Charter Amendment, the neighborhood councils would include representatives of the diverse interests in communities and have an advisory role on issues of neighborhood concern.

The Department would be responsible for preparing and implementing a plan to establish a system of neighborhood councils, including arranging a Congress of Neighborhoods meetings, and assisting neighborhood councils with selecting and training of officers and with sharing of resources. In developing a plan for establishing neighborhood councils, the Department would be required to seek public input, develop a statement of goals, policies and objectives for the Neighborhood Council system, and develop regulations to implement the Neighborhood Council plan. The regulations would establish the method for determining neighborhood boundaries to create the Neighborhood Councils, ensure that all sections of the City have equal opportunity to create a Neighborhood Council, establish procedures for

recognizing Neighborhood Councils, and require that Neighborhood Councils adopt fair and open procedures for the conduct of their business. The proposed Charter Amendment also provides that the regulations would establish procedures for receiving input from Neighborhood Councils prior to decisions by the Board of Supervisors and other City Commissions, including notifying the Neighborhood Councils of decisions before the Board of Supervisors and other City Commissions and giving Neighborhood Councils a reasonable opportunity to provide input into such decisions.

The proposed Charter Amendment would establish a Board of Neighborhood Commissioners, composed of seven commissioners. The Mayor would appoint three commissioners, the Board of Supervisors would appoint three commissioners, and the Public Advocate would appoint one commissioner. The Board of Neighborhood Commissioners would be responsible for policy setting and oversight, including the approval of contracts and leases and the promulgation of rules and regulations. However, the Board of Neighborhood Commissioners would not be responsible for day-to-day management of the Department of Neighborhood Empowerment. Additionally, the Board of Neighborhood Commissioners would be responsible for evaluating the provisions of the proposed Charter Amendment, regulations adopted pursuant to the proposed Charter Amendment, and the efficacy of the system of Neighborhood Councils, no later than seven years after the adoption of the proposed Charter Amendment. The Board of Neighborhood Commissioners would make recommendations to the Board of Supervisors regarding proposed changes to the subject Charter Amendment or to the regulations as the Board of Neighborhood Commissioners deems appropriate.

Under the proposed Charter Amendment, no later than 120 days after the Public Advocate assumes office, the Board of Supervisors would be required to establish the Department of Neighborhood Empowerment and approve appointment of the General Manager. The Mayor and the Board of Supervisors would be required to appropriate funds for the Department of Neighborhood Empowerment

and the start-up of the Neighborhood Councils for the first two years after the effective date of the proposed Amendment.

Within one year of the establishment of the Department of Neighborhood Empowerment and the Board of Neighborhood Commissioners, the Department of Neighborhood Empowerment would be required to complete the plan and necessary regulations for setting up the system of Neighborhood Councils and present the plan and regulations to the Board of Supervisors. The Board of Supervisors would be required to adopt ordinances implementing the regulations, either as proposed or as modified by the Board of Supervisors, within six months of presentation by the Department of Neighborhood Empowerment. If the Board of Supervisors fails to adopt such ordinances, then the regulations as proposed by the Department of Neighborhood Empowerment would become effective.

Under the proposed Charter Amendment, each Neighborhood Council seeking official recognition from the City must submit an organization plan and by-laws to the Department of Neighborhood Empowerment showing (a) the method by which their officers are chosen, (b) the system through which the Neighborhood Council will communicate with stakeholders on a regular basis, and (c) a system for financial accountability of its funds. The proposed Charter Amendment also requires that the Neighborhood Council membership be open to everyone living, working or owning property in the neighborhood, be representative of the diverse interests within the neighborhood, and that the Neighborhood Council meetings be open and public, permitting stakeholders to participate in the decision-making process.

Under the proposed Charter Amendment, the Board of Supervisors may delegate its authority to Neighborhood Councils to hold public hearings prior to the Board of Supervisors making decisions on matters of local concern, subject to applicable law. Additionally, each Neighborhood Council would be able to present to the Mayor and the Board of Supervisors an annual list of priorities for the City budget. The Mayor would be

required to inform the Neighborhood Councils of the deadline for submission so that the input may be considered in a timely fashion. Also, under the proposed Charter Amendment, the Neighborhood Councils would monitor the delivery of City services and meet periodically with representatives of City Departments regarding the Department's services, subject to the Department's representatives reasonable availability.

Under the proposed Charter Amendment, the Board of Supervisors would be able to adopt ordinances concerning the Neighborhood Councils, consistent with the plan developed by the Department of Neighborhood Empowerment. Such ordinances would supercede any inconsistent regulations that have become effective pursuant to the proposed Charter Amendment.

Comments:

1. The City of Los Angeles established a Department of Neighborhood Empowerment in 1999 to promote increased public participation in government and to make government more responsive to local needs. The Los Angeles Department of Neighborhood Empowerment is responsible for establishing and overseeing the system of neighborhood councils, including determining the methods for certifying neighborhood councils, assisting neighborhoods in preparing petitions for recognition and certification, and providing other forms of assistance and support. The Budget Analyst notes that the defined role of the City of Los Angeles Department of Neighborhood Empowerment is comparable to the proposed City and County of San Francisco Department of Neighborhood Empowerment which would be established by the proposed Charter Amendment.

2. The Los Angeles Department of Neighborhood Empowerment is under the control of a General Manager, appointed by the Mayor and confirmed by the City Council. The seven-member Board of Neighborhood Commissioners, who are appointed by the Mayor and confirmed by the City Council, sets policy for the Department of Neighborhood Empowerment and the neighborhood councils, approves contracts and leases, and promulgates rules and regulations. The Los Angeles Board of Neighborhood Commissioners is not responsible

for day-to-day management of the Department of Neighborhood Empowerment. The plan for the Los Angeles Citywide System of Neighborhood Councils was approved on May 30, 2001, and the Department of Neighborhood Empowerment began accepting applications for neighborhood councils to be certified on October 1, 2001.

3. The Fiscal Year 2000-2001 budget for the City of Los Angeles Department of Neighborhood Empowerment was $2,409,205, which included 24 full-time staff positions. The 24 staff positions include 12 positions to conduct outreach activities and to staff the City's four community access centers located in existing City facilities, 8 project coordinators to provide support to neighborhoods and information on the neighborhood council process, and 4 support staff. The City of Los Angeles has a population of 3,694,820, based on the 2000 United States Census data, resulting in a cost of $0.65 per person per year to fund the City of Los Angeles Department of Neighborhood Empowerment ($2,409,205 divided by 3,694,820). Based on this estimate of $0.65 per person per year, the Budget Analyst notes that a comparable City and County Department of Neighborhood Empowerment would cost approximately $504,876 per year, based on a population of 776,733.[1]

4. As noted above, the proposed Charter Amendment establishes a seven-member Board of Neighborhood Commissioners. Although the proposed Charter Amendment does not specify compensation for the members of the Board of Neighborhood Commissioners, the Budget Analyst notes that the FY 2001-2002 Annual Salary Ordinance provides a stipend of $50 per member per meeting for up to two meetings per month for members of eleven existing City Commissions and $50 per member per meeting for up to four meetings per month for members of the Board of Appeals and the City Planning Commission.

[1] According to the 2000 United States Census , the population of the City and County of San Francisco is 776,733.

5. Ms. Peg Stevenson of the Controller's Office advises that the Controller's Office will revise or prepare new cost estimates of the subject Charter Amendment, once the Board of Supervisors has completed their amendments to the subject legislation.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Item 8 - File 01-1657

Note: This is the second draft of File 01-1657, which was continued from the October 25, 2001 Special Rules Committee Meeting.

Proposed Charter Amendment:

Charter Amendment amending Sections A8.500-2, Domestic Partner Benefits to (1) no longer require City employees who were retired on or before November 8, 1995 to file a Certificate of Domestic Partnership with the Retirement System at least one full year prior to retirement as long as he or she filed a signed Declaration of Domestic Partnership with the County Clerk at least one full year prior to the effective date of his or her retirement, (2) provide that a retirement payment shall be prospective only; that is, no adjustment to a pension and no payments to a qualified surviving domestic partner shall begin before the effective date of the proposed Charter Amendment or before the first day of the month in which an application for such Domestic Partner Benefits is made to the Retirement System, whichever occurs later.

Draft:

Second

Charter Section Affected:

Section A8.500-2.

Description:

Currently, City Charter Section A8.500-2, Domestic Partner Benefits, requires a member to file with the Retirement System a Certificate of Domestic Partnership showing that a Declaration of Domestic Partnership was filed with the County Clerk at least one full year prior to employee's retirement or the employee's death if the employee should die before retirement. Mr. Kieran Murphy of the Retirement System states that Charter Section A8.500-2 was approved by the San Francisco voters on November 8, 1994, which became the effective date of the subject Charter Section.

The proposed Charter Amendment to Section A8.500-2 would provide that, beginning on March

5, 2002, members who retired on or before November 8, 1995, would no longer be required to file a Certificate of Domestic Partnership with the Retirement System at least one full year prior to retirement as long as he or she filed a signed Declaration of Domestic Partnership with the County Clerk at least one full year prior to the effective date of his or her retirement. However, such employees who retired on or before November 8, 1995 would not receive any adjustments to his or her pension and no payment to a qualified surviving domestic partner would begin before the effective date of the proposed Charter Amendment or the first day of the month in which an application for such domestic partner benefits is made to the Retirement System, whichever occurs later. In other words, the proposed Charter Amendment is not retroactive.

Comments:

1. The first draft of the proposed Charter Amendment applied only to Retirement System members who were retired on November 8, 1994. The subject second draft of the proposed Charter Amendment states that the proposed Charter Amendment would apply to City employees who retired on or before November 8, 1995 to account for the employees who would not have been able to file the Certificate of Domestic Partnership with the Retirement System at least one full year immediately prior to the implementation of the November 8, 1994 Charter Amendment. Mr. Murphy advises that those City employees who retired prior to the implementation of the November 8, 1994 Charter Amendment, would not have known that they needed to file the Certificate of Domestic Partnership with the Retirement System at least one full year immediately prior to their retirement.

2. Mr. Murphy estimates that approximately 20 individuals would be affected by the proposed Charter Amendment. According to Mr. Murphy, the increased costs are estimated to have a lump sum present value of approximately $250,000. Mr. Murphy states that this cost would have no

discernible impact on the Retirement System's funding, which had a surplus of $2.83 billion as of June 30, 2001.

3. The Controller's statement on the effect on the cost of government of this proposed Charter Amendment is attached to this report. As shown in the Attachment, the Controller's Office states that there would be no significant increase in the cost of government as a result of this proposed Charter Amendment.

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Edward Harr
Con

Matthew H.
Chief Assistant Con

October 24, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 011657
Proposed Charter Amendment to provide that domestic partners of City and County employees who retired previous to November 1994 may qualify for survivorship benefits.

Dear Ms. Young:

Should the proposed amendment be adopted, in my opinion, there would be no significant increase in the cost of government. As estimated by the Retirement System Actuary, this increase in benefit costs would have no discernible impact on the Retirement System's funding.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

Item 10 – File 01-1660

Note: This item was continued at the Special Rules Committee Meeting on October 25, 2001.

Proposed Charter Amendment: Charter Amendment to provide for the election of the Sheriff, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors using a ranked-choice, or "instant run-off" ballot, to require that City voting systems be compatible with a ranked-choice ballot system and setting a date and conditions for implementation.

Draft: First

Charter Sections Affected: Amending Sections 13.101 and 13.102 and adding a new Section 13.102.5

Description: Currently, the Charter requires that if a candidate does not receive a majority of the votes, a runoff election must be held between the top two candidates for the City elective offices of the Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors. The Charter currently specifies that the runoff election be held on the second Tuesday of the next ensuing December after the initial election for the offices of the Mayor, Sheriff, District Attorney, City Attorney, Treasurer or Board of Supervisors. The runoff election for the offices of Assessor-Recorder and Public Defender are called for at the next general election.

The proposed Charter Amendment would amend these provisions to provide for the election of the Sheriff, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors using a ranked-choice or instant runoff ballot. Under this ranked-choice or instant runoff ballot, San Francisco voters would be allowed to rank a number of choices in order of preference, either equal to the number of candidates for that office, including write-in candidates, or limited to no

fewer than three choices, provided that the voting system or equipment could accommodate that number of choices. The instant runoff voting system produces a majority winner in a single election by simulating a series of runoff elections.

If a candidate receives a majority of the voter's first choices, then that candidate would be elected. However, if no candidate receives a majority of the votes, the candidate who received the fewest first choice votes would be eliminated and the second choice votes cast for that candidate would be transferred to the next ranked candidate on that voter's ballot. If after this transfer of votes, any candidate receives a majority of the votes, that candidate would be elected. Again, if no candidate receives a majority of the votes, the process would continue such that each candidate with the fewest votes would be eliminated, and the second, third, or subsequent votes for that candidate would be transferred to the next-ranked candidate on each voter's ballot, until a candidate receives a majority of the votes.

The proposed Charter Amendment also provides that the Department of elections conduct voter education campaigns to familiarize voters with the instant runoff method of voting and that any future voting systems or equipment acquired by the City have the capability to accommodate the proposed instant runoff balloting.

According to the proposed Charter Amendment, the instant runoff ballot would be used for the General Municipal Election in November of 2002 and all subsequent elections for Sheriff, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors. However, if the Director of Elections certifies to the Board of Supervisors and the Mayor no later than July 1, 2002 that the Department of Elections cannot implement the proposed instant runoff elections by November of 2002, then the City could delay the implementation for one year, until the November of 2003 General Municipal Election.

Under the proposed Charter Amendment, separate runoff elections would continue to be held on the second Tuesday of the next ensuing December for the offices of the Mayor, District Attorney and City Attorney.

Comments:

1. Ms. Chris Hayashi, formerly of the City Attorney's Office assigned to the Department of Elections, previously advised the Budget Analyst that the existing Election Systems and Software (ES&S) equipment, which the Department of Elections purchased in FY 2000-2001, is technologically capable of handling an instant runoff election, where there are up to 17 candidates and one write-in candidate for a single office, without requiring significant new or additional computers or equipment costs to the City. Mr. Ara Minasian of the Department of Administrative Services reports that it is estimated to cost between $0 and $150,000 of one-time costs to make all of the existing computer and equipment systems in the Department of Elections compatible for an instant runoff election.

2. Ms. Hayashi further advised that if the Department of Elections changed the method for conducting runoff elections, the Department would need to provide additional outreach to San Francisco voters to fully explain how the new runoff election system works in order to minimize voter confusion. For example, the Department might conduct City-wide mailings, or produce public service announcements and seek other media outlets, such as Citywatch, to disseminate such information to the public. Ms. Tammy Haygood of the Department of Elections advises that such additional outreach efforts are estimated to cost approximately $250,000 initially, and would be reduced over time, as the public becomes more familiar with the new runoff voting system.

Ms. Haygood also reports that the Department of Elections would likely incur additional administrative expenses of up to $100,000 per

election to provide additional training and pay for the Temporary Salary expenses for all of the pollworkers to fully understand any new runoff voting system.

3. Mr. Minasian advises that the December of 1999 Mayoral Runoff Election cost approximately $1.48 million. Mr. Minasian estimates that if a December of 2001 City Attorney Runoff Election is required, it is estimated to cost approximately $2.0 million.

4. The Budget Analyst notes that the proposed Charter Amendment would still require separately held runoff elections for the offices of the Mayor, District Attorney and City Attorney. Mr. Minasian confirms that requiring these three elective offices to continue to hold separate runoff elections, while providing that the offices of the Sheriff, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors would change to ranked-choice or instant runoff ballots, will potentially negate the fiscal benefits of having instant runoff elections in San Francisco.

5. The Attachment contains the Controller's statement on the effect on the cost of government of the proposed Charter Amendment. As shown in the Attachment, the Controller estimates that the City would save a net amount of approximately $1.3 million annually beginning in Fiscal Year 2002-2003 by eliminating the need for runoff elections. However, Ms. Peg Stevenson of the Controller's Office advises that the Controller's cost estimates assume that under the proposed Charter Amendment, all local candidates for office would be subject to instant runoff elections. As noted in Comment No. 4 above, the proposed Charter Amendment would still require separately held runoff elections for the offices of the Mayor, District Attorney and City Attorney. Ms. Stevenson advises that the Controller's Office will revise the Attachment or prepare new estimates of the cost of the subject Charter Amendment, once the Board of Supervisors have approved final amendments to the proposed legislation.

BOARD OF SUPERVISORS
BUDGET ANALYST

Recommendation: Approval of the proposed Charter Amendment is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Ben Rosenfield

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROL

Edward Harri
Cont

Matthew H. H
Chief Assistant Cont

October 24, 2001

Ms. Gloria L. Young, Clerk of the Board
Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: File Number 011660
Charter Amendment to provide for the election of Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender and members of the Board of Supervisors using instant run-off voting.

Dear Ms. Young,

Should the proposed charter amendment be approved by the voters, in my opinion, it would save the City a net amount of approximately $1.3 million annually beginning in Fiscal Year 2002-03 by eliminating the need for run-off elections. Instant run-off voting may require additional ballot pages, voter education, and modifications to the City's voting technology. However, these costs would be more than offset by the savings associated with eliminating run-off elections.

Sincerely,

Edward M. Harrington
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

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Members: Supervisors Matt Gonzalez, Tony Hall an

Clerk: Victor Young

Thursday, November 01, 2001 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

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The meeting convened at 1:09 pm.

REGULAR AGENDA

011951 **[Appointment]**

Hearing to consider appointing one member to the Sunshine Ordinance Task Force.

1 Seat Being Considered:
Vacant seat, succeeding Tuesday Ray, seat 5, must be appointed from names submitted by the League of Women Voters, for the unexpired portion of a two-year term ending on April 27, 2002.
10/24/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Heather Sterner, League of Women Voters; Donna Hall, Administrator, Sunshine Ordinance Task Force.

Continued to November 15, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

010907 **[Charter Amendment - Noncitizens on City Boards, Commissions, and Advisory Bodies]**

Supervisors Gonzalez, Daly

Charter amendment (Second Draft) to amend Section 4.101 to permit noncitizens to serve on appointive boards, commissions, and advisory bodies, and to clarify existing provisions allowing nonelectors to serve on appointive boards, commissions, and advisory bodies.

5/14/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/13/2001.

6/22/01, CONTINUED. Heard in Committee. Speaker: none.

Continued to August 16, 2001.

10/23/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; male; Chris Bowman.

10/23/01, CONTINUED. Continued to November 1, 2001.

Heard in Committee. Speakers: Richard Ow; Ted Lakey, Deputy City Attorney.

Referred as a Committee Report without Recommendations.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010964 **[Appointments to the Planning Commission and the Board of Appeals]**

Supervisors McGoldrick, Gonzalez, Ammiano, Hall, Daly, Leno, Maxwell, Sandoval

Charter amendment (Second Draft) to amend Section 4.105 and 4.106 to provide that appointments to the Planning Commission and the Board of Appeals shall be shared by the Mayor and the Board of Supervisors.

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, CONTINUED. Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney; Supervisor Jake McGoldrick. Continued to July 6, 2001.

7/6/01, CONTINUED TO CALL OF THE CHAIR.

10/23/01, CONTINUED. Heard in Committee. Speakers: Supervisor Jake McGoldrick; John Kennedy, Deputy City Attorney; Ernestine Weiss; John Bardis; Chris Bowman.

Continued to October 25, 2001.

10/25/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: John Shaw; Supervisor Jake McGoldrick; Chris Bowman; John Kennedy, Deputy City Attorney; Buck Delventhal, Deputy City Attorney.

10/25/01, CONTINUED. Continued to November 1, 2001.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Jim Hass; Supervisor Jake McGoldrick.

Referred as a Committee Report with the Recommendation Do Submit.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Gonzalez, Hall

Absent: 1 - Ammiano

010968 **[Mayor's Budget deadline]**

Supervisors McGoldrick, Daly

Charter amendment (Second Draft) to amend Section 9.100 to require the Mayor, beginning in 2003, to submit the proposed budget to the Board of Supervisors not later than April 15 of each year.

(Supervisor Ammiano dissenting in Committee.)

5/21/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/20/2001.

6/29/01, CONTINUED. Heard in Committee. Speaker: Supervisor Jake McGoldrick; Buck Delventhal. Deputy City Attorney. Continued to July 6, 2001.

7/6/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Supervisor Jake McGoldrick; Steve Kawa. Mayor's Office; John Bardis; Peg Stevenson, Controller's Office, Buck Delventhal.

10/23/01, AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Jake McGoldrick; Peg Stevenson, Office of the Controller: Debra Newman. Budget Analysts Office: John Kennedy. Deputy City Attorney; John Abalos; Ernestine Weiss; Chris Bowman; Frederick Hobson; John Bardis.

10/23/01. CONTINUED. Continued to November 1, 2001.

Heard in Committee. Speakers: Supervisor Jake McGoldrick; Ed Harrington, Controller; Jim Hass; Richard Ow; John Bardis; Ted Lakey, Deputy City Attorney.

Referred as a Committee Report with the Recommendation Do Not Submit.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Gonzalez, Hall
Noes: 1 - Ammiano

011654 **[Public Advocate; Department of Neighborhood Empowerment]**

Supervisor Daly

Charter amendment (Second Draft) to amend Section 6.100 and adding Section 6.108 and 16.121 to create the Public Advocate, establish the Department of Neighborhood Empowerment and create neighborhood councils.

(fiscal impact)

9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

10/25/01, AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Richard Ow; Bill Barnes, aide to Supervisor Daly; Debra Newman, Budget Analysts Office; Peg Stevenson, Controllers Office.

10/25/01, DIVIDED.

10/25/01, CONTINUED. Divided to create File No. 011957 and 011958.

Continued to November 1, 2001.

Heard in Committee. Speakers: Supervisor Chris Daly; Richard Ow; Ron Miguel; Elmo Wedderburn; John Bardis.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

011957 **[Public Advocate]**

Supervisor Daly

Charter amendment (First Draft) to amend Section 6.100 and adding Section 6.108 to create the Public Advocate.

10/25/01, CONTINUED. Divided from File No. 011654.

Continued to November 1, 2001.

10/25/01, DIVIDED to Rules Committee.

Heard in Committee. Speakers: Supervisor Chris Daly; Richard Ow; Ron Miguel; Elmo Wedderburn; John Bardis.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

011958 **[Department of Neighborhood Empowerment]**

Supervisor Daly

Charter amendment (First Draft) to add section 16.121 to establish the Department of Neighborhood Empowerment and create neighborhood councils.

10/25/01, CONTINUED. Divided from File No. 011654.

Continued to November 1, 2001.

10/25/01, DIVIDED to Rules Committee.

Heard in Committee. Speakers: Supervisor Chris Daly; Richard Ow; Ron Miguel; Elmo Wedderburn; John Bardis.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

011657 **[Charter Amendment - Domestic Partner Benefits]**

Supervisors Leno, Daly

Charter amendment (Second Draft) to amend Appendix 8.500-2, relating to domestic partner benefits.

9/17/01. ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

10/25/01, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Mark Leno; Debra Newman, Budget Analysts Office; Kerin Murphy, Retirement System; John Kennedy, Deputy City Attorney.

10/25/01, CONTINUED. Continued to November 1, 2001.

Heard in Committee. Speakers: none.

Referred as a Committee Report with the Recommendation Do Submit.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

011658 [Charter Amendment - Building Inspection Commission]

Supervisor McGoldrick

Charter amendment (First Draft) to amend Section 4.121 to revise the allocation of appointments by the Mayor and the Board of Supervisors to the Building Inspection Commission.

9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

10/25/01, CONTINUED. Continued to November 1, 2001.

Heard in Committee. Speakers: none.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

011660 [Charter Amendment - Runoff Voting for Elective Offices]

Supervisor McGoldrick

Charter amendment (First Draft) to amend Sections 13.101 and 13.102 and add new Section 13.102.5 to provide for the election of the Sheriff, Treasurer, Assessor-Recorder, Public Defender, and members of the Board of Supervisors using a ranked-choice, or "instant run-off," ballot, to require that City voting systems be compatible with a ranked-choice ballot system, and setting a date and conditions for implementation.

9/17/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/17/2001.

10/25/01, CONTINUED. Continued to November 1, 2001.

Heard in Committee. Speakers: none.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 3:45 pm.

[Budget Analyst Report]
Susan Hom
Main Library-Govt. Doc. Section

90.84
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CITY AND COUNTY OF ...

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

November 8, 2001

TO: Rules Committee

FROM: Budget Analyst

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SUBJECT: November 15, 2001 Rules Committee Meeting

Item 8 – File 01-1164

Department: Juvenile Probation Department
Mayor's Criminal Justice Council (MCJC)

Item: Ordinance amending Chapter 2A of the San Francisco Administrative Code to add Article XVI, including Section 2A.233, Section 2A.234 and Section 2A.235, to require the Juvenile Probation Department to establish a Community Assessment, Referral and Intake Division within the Juvenile Probation Department.

Description: The proposed ordinance would amend Chapter 2A of the Administrative Code by adding Article XVI including Section 2A.233, Section 2A.234 and Section 2A.235. This amendment would require the Juvenile Probation Department to establish a Community Assessment, Referral and Intake Division in the Juvenile Probation Department.

Section 2A.233 of the proposed ordinance states that under State law, depending on the offense for which a Police Officer takes a minor into custody, the Police

Officer has four options: (1) admonish and release the minor; (2) deliver or refer a minor to a public or private agency with which the City has an agreement to provide shelter care, counseling or diversion services to minors; (3) prepare a written notice for the minor to appear before the Probation Officer and release the minor; or, (4) take the minor without delay before a Probation Officer at the Juvenile Probation Department at the Youth Guidance Center.

Section 2A.233 of the proposed ordinance also chronicles the steps the City has taken to address juvenile justice issues, including the establishment of the Community Assessment and Referral Center (CARC) program as an alternative to bringing minors to the Youth Guidance Center for minors who violated a law other than those accused of the most violent offenses. According to Ms. Katherine Weinstein of the Mayor's Criminal Justice Council (MCJC), CARC is an existing City program administered by the Mayor's Criminal Justice Council. Ms. Weinstein advises that MCJC currently has an agreement with Huckleberry Youth Programs, a nonprofit organization, to operate CARC to provide a single point of entry for youth detained for offenses, other than the most violent crimes, for assessment, service integration, referral, crisis intervention and monitoring. Youth who live outside of San Francisco or youth arrested when CARC is closed are not eligible for referral to CARC. Attachment I, provided by Ms. Weinstein, describes the CARC operations. The proposed ordinance would transfer the responsibility for the management and oversight of Community Assessment Referral functions from MCJC to the Juvenile Probation Department by establishing the Community Assessment and Referral Intake Division (Intake Division) within the Juvenile Probation Department. The proposed Intake Division would serve as a single point of entry for eligible youth taken into custody (see the description below of Section 2A.234 of the proposed ordinance).

According to Ms. Weinstein, Huckleberry Youth Programs operates CARC in collaboration with on-site City personnel from the Sheriff's Department, the

Department of Public Health, Juvenile Probation and the Police Department (see Comment No. 1). CARC is currently located in the YMCA at 121 Leavenworth Street. Ms. Weinstein reports that, currently, Police Officers are required to contact the Probation Officers stationed at CARC during CARC's hours of operation (Monday through Saturday 10:00 am through 2:00 am), to determine if the detained youth are eligible for referral to CARC. According to Ms. Weinstein, the CARC program served approximately 689 juveniles, or 22.49 percent of the 3,064 juveniles arrested, in FY 2000-2001.

Section 2A.233 of Article XVI of the proposed ordinance also states that it is in the public's interest to permanently establish the CARC program as the Community Assessment, Referral and Intake Division of the Juvenile Probation Department (Intake Division) as the single point of entry for all youth brought into the juvenile justice system for offenses, other than the most violent crimes, for assessment, service integration, referral, crisis intervention and monitoring of such youth.

Section 2A.234 of the proposed ordinance requires the Juvenile Probation Department to establish the Intake Division to serve as the single point of entry for eligible youth taken into custody except for those who (1) are admonished and released; (2) are delivered or referred to shelter or counseling services; or, (3) are required to be held in custody until taken before a judicial officer. Mr. Buck Delvental of the City Attorney's Office advises that these exceptions are for referral to the proposed Intake Division and Police Officers would still have the four options (cited above) provided by State law for a minor taken into custody depending on the offense, which include: (1) admonish and release; (2) deliver or refer a minor to a public or private agency with which the City has an agreement to provide shelter care, counseling or diversion services to minors; (3) prepare a written notice for the minor to appear before the Probation Officer and release the minor; or, (4) take the minor without delay before a Probation Officer at the Juvenile Probation Department at the Youth Guidance Center.

Additionally, Section 2A.234 summarizes, but does not detail, the services to be provided by the Intake Division as assessment, service integration, referral, booking, crisis intervention and mentoring services. Section 2A.234 also states that the Intake Division would continue to be located at its current location at 121 Leavenworth Street or at any location(s) throughout the City, other than at the Youth Guidance Center, as approved by the Juvenile Probation Commission.

The proposed ordinance is silent on the Board of Supervisors role in approving Intake Division location(s) in the City.

Ms. Weinstein advises that the services outlined for the proposed Intake Division are the same services currently provided under the existing CARC program. Ms. Weinstein states that Section 2A.234 does not indicate if the proposed Intake Division would continue the same hours of operation (Monday through Saturday 10:00 am to 2:00 am) or operate 24 hours per day, seven days a week (see Comment No. 3).

Section 2A.235 of the proposed ordinance states that the proposed Juvenile Probation Intake Division must be fully operational within two years from the effective date of the proposed ordinance. Section 2A.235 also states that the Chief Probation Officer of the Juvenile Probation Department is charged with developing and implementing the proposed Intake Division in consultation with: (a) the Juvenile Probation Department, (b) the Police Department, (c) the Sheriff's Department, (d) the Department of Public Health, (e) the District Attorney's Office, (f) the Public Defender's Office, (g) the Director of the Department of Children, Youth and Their Families, (h) the Youth Commission, and (i) any other City agency or department or community-based organization necessary to develop the proposed Intake Division. The two-year development and implementation period provided for under the proposed ordinance would allow the Chief Probation Officer of the Juvenile Probation Department, in consultation with the above mentioned parties, time to determine the details of the proposed

Intake Division, including (a) whether or not the proposed Intake Division would be operated in-house by Civil Service employees of the Juvenile Probation Department or if CARC would continue to be contracted out, (b) the hours of operation, and (c) eligibility guidelines for referral to the proposed Intake Division.

Section 2A.235 also requires the Chief Probation Officer to submit an annual progress report on the implementation process of the proposed Intake Division to the Board of Supervisors, Mayor, Youth Commission and Juvenile Probation Commission. Additionally, Section 2A.235 requires the Board of Supervisors, or the appropriate Committee of the Board, and the Juvenile Probation Commission to jointly hold a hearing, annually for the next two years on the development and implementation of the proposed Intake Division. Section 2A.235 does not specify a date when the annual progress report must be transmitted to the Board of Supervisors Mayor, Youth Commission and Juvenile Probation Commission or when the annual hearing must be held.

Comments:

1. Ms. Weinstein advises that MCJC currently contracts with Huckleberry Youth Programs on an annual basis for the CARC program. Ms. Weinstein further advises that MCJC's current grant agreement with Huckleberry Youth Programs for the CARC program is for the period of July 1, 2001 through June 30, 2002 in the amount of $905,545, which was included in MCJC's FY 2001-2002 budget.

Attachment II, provided by the MCJC, is the CARC FY 2001-2002 budget, which totals $1,602,641. The $1,602,641 CARC budget includes: (a) a $905,545 grant to Huckleberry Youth Programs to operate CARC ($546,119 for Community Based Organization (CBO) Personnel, which is the Huckleberry Youth Programs staff plus $104,875 for Services/Subcontracts plus $254,551 for Other costs); and, (b) $697,096 for City personnel from the Sheriff's Department, the Department of Public Health, Juvenile Probation and the Police Department located on-site at CARC.

Mr. Eugene Clendinen of MCJC advises that the CARC program budget for FY 2001-2002 of $1,602,641 is funded from the following sources: (a) $271,407 from the General Fund, (b) $78,195 in grant funds from the Federal Office of Juvenile Justice and Delinquency Prevention, (c) $555,944 through State Assembly Bill 1913, which designates funding to law enforcement programs, (d) $170,013 from the Sheriff Department's State Public Safety funds, (e) an in-kind contribution of $201,728 from the Department of Public Health for 2.87 FTE 2305 Licensed Psychiatric Technicians, (f) an in-kind contribution of $53,740 from the Police Department for a 1.0 FTE Q60 Lieutenant, (g) an in-kind contribution of $224,204 from the Juvenile Probation Department for 2.87 FTE 8444 Deputy Probation Officers, and (h) an in kind-contribution from the Sheriff's Department of $47,410 for 2.92 FTE 8304 Deputy Sheriff[1]. The total FTE count for the in-kind personnel contributions is 9.66 FTEs at a total cost of $527,082. Ms. Weinstein advises that these positions are funded by the General Fund. Therefore, the actual total current General Fund contribution to the existing CARC program is $798,489 ($527,082 of in-kind personnel contributions plus $271,407 as noted above).

2. Mr. Garry Bieringer from Huckleberry Youth Programs advises that because the proposed ordinance provides for the development of a permanent Intake Division within the Juvenile Probation over a two-year period, there are many unknowns as of the writing of this report, such as (a) whether or not the proposed Intake Division would be operated by the Juvenile Probation Department or a Community Based Organization in collaboration with the Sheriff's Department, the Department of Public Health, Juvenile Probation and the Police Department, (b) the hours of operation, (c) what the eligibility guidelines would be for referral to the proposed Intake Division, and, (d) if the space at 121 Leavenworth would be large enough to handle any additional juveniles which might be referred to the proposed Intake Division. Mr.

[1] Mr. Clendinen states that the Sheriff's Department uses $170,013 from State Public Safety monies to fund a portion of its total cost of $217,423 for the 2.92 FTE 8304 Deputy Sheriffs for CARC.

Bieringer advises that it is important at this juncture to determine whether or not CARC would be operated 24 hours per day, seven days a week ("24/7"). According to Mr. Bieringer, if CARC increases its hours of operation from Monday through Saturday 10:00 am to 2:00 am (16 hours per day times 6 days per week or a total of 96 hours per week currently) to "24/7" (24 hours per day times 7 days per week or a total of 168 hours per week) this would result in an additional 72 hours or a 75 percent increase in hours per week.

Ms. Weinstein advises that for CARC to operate, there needs to be, at a minimum, one Probation Officer, one Licensed Psychiatric Technician, one Deputy Sheriff and two Case Managers. Mr. Bieringer advises that, during the week, the existing CARC program as a single point of entry for youth detained for offenses, other than the most violent crimes, for assessment, service integration, referral, crisis intervention and monitoring, is currently staffed with one Probation Officer, one Licensed Psychiatric Technician, one Deputy Sheriff, two Case Managers at CARC and seven Case Managers working in the field with juveniles. If the proposed Intake Division were operational "24/7", Mr. Clendinen estimates that the City's personnel costs for the Probation Officer, Licensed Psychiatric Technician, one Deputy Sheriff would increase by a total of $627,911 annually. However, Mr. Clendinen states that this estimate does not include any nighttime pay premiums for the individuals working between 2:00 am and 10:00 am.

Mr. Bieringer estimates that if CARC were open "24/7", Huckleberry Youth Programs' operating costs would increase by an estimated $375,000 per year ($250,000 for personnel plus $125,000 for administrative support, training, program support, supplies, equipment etc.). Mr. Bieringer notes that these estimates are based on current costs, current staffing levels and the current volume of juveniles being served by CARC, and do not include cost estimates for the on-site City personnel.

Additionally, Ms. Weinstein notes that the language in the proposed ordinance requires that the Intake Division serve as a single point of entry for most minors taken into custody (see exceptions cited above). Therefore, the volume of youth being served by CARC could increase under the proposed ordinance. Ms. Weinstein advises that if the volume of youth served by CARC increases and CARC is operating "24/7", then the current staffing levels would not be sufficient. The Budget Analysts notes that the hours of operation and the CARC eligibility guidelines will be determined during the two-year development and implementation period provided for in Section 2A.235 of the proposed ordinance.

3. Ms. Weinstein notes that at this time it is uncertain what additional funding would be available from the various sources or if additional personnel would be available to operate CARC on a "24/7" basis given the current economic conditions and projections. Additionally, Ms. Weinstein notes that if the hours of operation or the program volume were to increase, it is uncertain if (a) the YMCA would continue to lease the 3,500 square feet of space at 121 Leavenworth Street to Huckleberry Youth Programs for the CARC program and/or, (b) the space at 121 Leavenworth Street would be large enough to accommodate additional staff and/or juveniles. Therefore, there may or may not be additional lease costs to the City if CARC is expanded to a "24/7" operation or if the volume of youth served by CARC is increased. As noted above, the Juvenile Probation Commission would approve any Intake Division location(s) within the City.

4. Mr. Edward Lopatin of the Juvenile Probation Department states that the proposed ordinance is silent on whether or not the proposed Intake Division would be operated by Juvenile Probation Department Civil Service employees or if CARC would continue to be contracted out. Therefore, Mr. Lopatin is unable, as of the writing of this report, to estimate the costs of making the Intake Division a part of the Juvenile Probation Department for eligible youth. However, the Budget Analysts notes that the details of the

proposed Intake Division are to be determined during the two-year development and implementation period provided for in Section 2A.235 of the proposed ordinance.

Mr. Lopatin also states that the proposed ordinance is unclear on whether the current funding sources for the existing CARC program would also fund the proposed Intake Division. Additionally, Mr. Lopatin advises that it is uncertain how long and at what level the current funding sources would be available to fund the proposed Intake Division. For example, Mr. Lopatin advises that funding from State Assembly Bill 1913, which currently contributes $555,944 of annual funding to the existing CARC program, will expire at the end of the State's FY 2002-2003. Mr. Lopatin notes that if the proposed ordinance is approved and State and/or Federal funding is reduced, then the Juvenile Probation Department would either have to reduce services provided under the proposed Intake Division or request additional General Fund monies to operate the proposed Intake Division.

Recommendations: 1. Amend the proposed ordinance requiring the Juvenile Probation Department to report back to the Board of Supervisors on its final plan for the proposed Intake Division, including information on: (a) whether the proposed Intake Division would be operated in-house by Civil Services employees of the Juvenile Probation Department or continue to be operated by a Community-Based Organization in collaboration with the Sheriff's Department, the Department of Public Health, the Juvenile Probation and the Police Department, (b) the hours of operation of the proposed Intake Division, (c) eligibility guidelines for referral to the proposed Intake Division, (d) the Board of Supervisors role in approving Intake Division locations, (e) a specific date for when the annual progress report must be submitted to the Board of Supervisors, and, (e) budget details, including funding sources, of the proposed Intake Division.

2. Approval of the proposed ordinance, as amended, is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Ben Rosenfield

CARC REFERRAL CENTER

All juveniles arrested between 1000 hrs and 0200 hrs Monday through Saturday shall be taken to the Community Assessment and Referral Center, CARC, rather than being cited or taken to the Youth Guidance Center. Exceptions are noted below.
CARC is located at 121 Leavenworth St. in the YMCA building. Officers shall use the Leavenworth St. entrance to the facility. CARC has the capability to fingerprint and photograph juveniles.

All arrested juveniles shall be brought to CARC– Except juveniles charged with:

- Homicide
- Forcible Rape, Sodomy, Oral Copulation
- In-home molest
- Felony arson
- Felony Assault where serious injury is inflicted
- Shooting of firearms
- Kidnapping
- Home invasion robberies
- Intimidating victim / witness (136.1 P.C.)
- Bench Warrants(to be discussed with judge)
- Out of county or out of country youth
- Juveniles cited for infractions
- Domestic Violence

Procedures for C.A.R.C. referrals:

1. Officers shall call CARC @ 567-8078, and complete CARC referral form instead of Y.G.C. form prior to transporting juveniles to the facility.
2. Officers shall notify parent/guardian to pick up juvenile at 121 Leavenworth St.
3. Officers shall prepare a citation and check the, "To Be Notified" box for a court date, and obtain a field print.
4. Officers shall use "C" in the suspect box and write in " referred to CARC " or "cite to YGC" in other information box.
5. Officers shall fax a copy of the approved police report to CARC as soon as possible. Fax # 567-8226.
6. CARC will be responsible for processing the juvenile, as well as, admonishment, court dates, etc. and the conveyance of the juvenile to a responsible adult after the referral process.

Officers are reminded that all current Department Policies and Procedures still apply with regards to:

- Admonished/ Diverted juveniles
- Juveniles in possession of firearms/B.B. guns
- Juveniles 11 years and under who should be taken to CPS
- Intoxicated minors
- Status offenders
- Abuse or neglect cases

Community Assesment Referral Center 2001 - 02 Annual Budget

Description		Position % of Time	Position COUNT	SALARY (Bi-weekly)	SALARY (Annual)	BENEFIT RATE	ANNUAL COST
City Personnel	(In-Kind)						
	8444 Deputy P.O. (Total estimate)	100%	2.87	$ 2,414.00	$ 63,005.40	24.0%	$ 224,204
	Q60 Lieutenant	50%	1.00	$ 3,321.00	$ 86,678.10	24.0%	$ 53,740
	Licensed Psychiatrict Technician 2305	100%	2.87	$ 2,172.00	$ 56,689.20	24.0%	$ 201,728
	Deputy Sheriff 8304	100%	2.92	$ 2,297.00	$ 59,951.70	24.0%	$ 217,423
						Subtotal:	$ 697,096
CBO Personnel							
	Care Director	100%	1.00	$ 2,625.02	$ 68,513.00	16.5%	$ 79,818
	Program Manager	100%	1.00	$ 1,810.34	$ 47,250.00	16.5%	$ 55,046
	Lead Case Managers	100%	2.00	$ 1,403.03	$ 36,619.00	16.5%	$ 85,322
	Case Manager	100%	5.00	$ 1,287.36	$ 33,600.00	16.5%	$ 195,720
	Clinical Supervisor	10%	1.00	$ 4,157.09	$108,500.00	16.5%	$ 12,640
	Clerical Assistant	50%	1.00	$ 1,004.14	$ 26,208.00	16.5%	$ 15,266
	Night Assessor	63%	1.00	$ 1,277.14	$ 33,333.33	16.5%	$ 24,465
	Case Manager Relief (300 hrs)						$ 4,500
	Mentor Coordinator	100%	1.00	$ 1,724.14	$ 45,000.00	16.5%	$ 52,425
	Data Manager	10%	1.00	$ 1,858.24	$ 48,500.00	16.5%	$ 5,650
	Data Input	50%	1.00	$ 1,004.14	$ 26,208.00	16.5%	$ 15,266
						Subtotal:	$ 546,119
	Subtotal - Personnel:		24.66				$ 1,243,215
Services/ Subcontracts	MIS Consultant						$ 4,000
	Chinatown Youth Center						$ 46,200
	CJCJ DDAP						$ 49,875
	Equipment Rental						$ 4,800
	Subtotal - Professional Services:						$ 104,875
Other	YMCA Facility Usage						$ 107,000
	Travel						$ 3,000
	Office Supplies						$ 10,911
	Program Supplies						$ 3,600
	Training						$ 2,700
	Telephone						$ 14,000
	Postage						$ 300
	Equipment Maintenance Contracts						$ 1,200
	Equipment						$ 20,500
	Printing Advertising						$ 2,400
	Insurance & Fees						$ 5,120
	Huckleberry's Overhead						$ 83,820
	Subtotal - Other:						$ 254,551
	GRAND TOTALS						$ 1,602,641

4 on 11/28/01

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City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, November 15, 2001 **1:00 PM** **Legislative Chambers- Second Floor**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

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Meeting Convened

The meeting convened at 1:05 pm.

REGULAR AGENDA

011951 **[Appointment]**

Hearing to consider appointing one member to the Sunshine Ordinance Task Force.

1 Seat Being Considered:
Vacant seat, succeeding Tuesday Ray, seat 5, must be appointed from names submitted by the League of Women Voters, for the unexpired portion of a two-year term ending on April 27, 2002.

10/24/01, RECEIVED AND ASSIGNED to Rules Committee.

11/1/01, CONTINUED. Heard in Committee. Speakers: Heather Sterner, League of Women Voters; Donna Hall, Administrator, Sunshine Ordinance Task Force.

Continued to November 15, 2001.

Heard in Committee. Speakers: none.

Appointment of Heather Sterner, seat 5, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Heather Sterner, term ending April 27, 2002, to the Sunshine Ordinance Task Force.

Heather Sterner, succeeding Tuesday Ray, seat 5, must be appointed from names submitted by the League of Women Voters, for the unexpired portion of a two-year term ending on April 27, 2002.

RECOMMENDED.. by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011949 **[Appointment]**

Hearing to consider appointing five members to the Emergency Room Diversion Task Force.

5 Seats Being Considered:
Vacant seat, new position, seat 1, must be an emergency room physician from a non-profit health maintenance, term to be determined;
Vacant seat, new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined;
Vacant seat, new position, seat 13, must be a representative of the Community Substance Abuse Services, term to be determined;
Vacant seat, new position, seat 14, must represent labor, term to be determined;
Vacant seat, new position, seat 15, must represent labor, term to be determined.
10/18/01, CONTINUED TO CALL OF THE CHAIR.
10/24/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Catherine Garza, aide to Supervisor Newsom; Judith Chavez.

Seats 10, 13, and 15 divided and continued to the call of the chair. See File No. 012122.
DIVIDED.

Hearing to consider appointing two members to the Emergency Room Diversion Task Force.

2 Seats Being Considered:
Vacant seat, new position, seat 1, must be an emergency room physician from a non-profit health maintenance, term to be determined;
Vacant seat, new position, seat 14, must represent labor, term to be determined.

Appointment of Scott Campbell, seat 1, and Judith Chavez, seat 14, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Scott Campbell and Judith Chavez, terms to be determined, to the Emergency Room Diversion Task Force.

Scott Campbell, new position, seat 1, must be an emergency room physician from a non-profit health maintenance, term to be determined;
Judith Chavez, new position, seat 14, must represent labor, term to be determined.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

012122 **[Appointment]**

Hearing to consider appointing three members to the Emergency Room Diversion Task Force.

3 Seats Being Considered:
Vacant seat, new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined;
Vacant seat, new position, seat 13, must be a representative of the Community Substance Abuse Services, term to be determined;
Vacant seat, new position, seat 15, must represent labor, term to be determined.

Divided from File No. 011949.
CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

000792 [Appointment]

Hearing to consider appointing two members to the Mental Health Board.

2 Seat Being Considered:
Vacant seat, succeeding Renee Deger, term expired, seat 13, must be a family member, for a new three-year term ending January 31, 2004;
Vacant seat, succeeding Brian Peagler, term expired, seat 14, must be a family member, for a new three-year term ending January 31, 2004.

4/27/00, CONTINUED TO CALL OF THE CHAIR. Divided from File 991960.
5/25/00, CONTINUED. Heard in Committee. Speaker: Catherine Walker. Continued to June 8, 2000.
7/13/00, CONTINUED. Heard in Committee. Speakers: Helynna Brooke. Continued to July 27, 2000.
7/18/00, CLERICAL CORRECTION. Seat 17 is not open
7/27/00, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: none.
11/7/01, CLERICAL CORRECTION. Seat 14 added due to expiration of term.

Heard in Committee. Speakers: Thomas Purvis; Robert Douglas; Carol Knight; Helena Brooks, Executive Director, Mental Health Board.

Appointment of Robert Douglas, seat 13, and Carol Knight, seat 14, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Robert Douglas and Carol Knight, terms ending January 31, 2004, to the Mental Health Board.

Robert Douglas, succeeding Renee Deger, term expired, seat 13, must be a family member, for a new three-year term ending January 31, 2004;
Carol Knight, succeeding Brian Peagler, term expired, seat 14, must be a family member, for a new three-year term ending January 31, 2004.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

012035 [Appointment]

Hearing to consider appointing one member to the Ballot Simplification Committee.

Vacant seat, succeeding Mary Hilton, term expired, seat 3, must represent the League of Women Voters, for a new two-year term ending November 30, 2002.

11/5/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Tammy Haygood, Director, Department of Elections; Ted Lakey, Deputy City Attorney.

Appointment of Allyson Washburn, seat 3, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Allyson Washburn, term ending November 30, 2002, to the Ballot Simplification Committee.

Allyson Washburn, succeeding Mary Hilton, term expired, seat 3, must represent the League of Women Voters, for a new two-year term ending November 30, 2002.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011784 **[Appointment]**

Hearing to consider appointing three members to the Elections Task Force. (Clerk of the Board)

3 Seats Being Considered:
Vacant seat, seat 1, must be appointed by the Board of Supervisors, term to be determined;
Vacant seat, seat 2, must be appointed by the Board of Supervisors, term to be determined;
Vacant seat, seat 3, must be appointed by the Board of Supervisors, term to be determined.

10/3/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Christopher Bowman; Gary Gartner; David Bisho; David Parker; Richard Ow; Maria Gonzalez; John Trasvina; Patricia Pittman Mitchell; Quintin Mecke; Marc Salomon; Melanie Morris, aide to Supervisor Sandoval.

Appointment of David Bisho, seat 1, John Trasvina, seat 2, and Quintin Mecke, seat 3, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing David Bisho, John Trasvina, and Quintin Mecke, terms to be determined, to the Elections Task Force. (Clerk of the Board)

David Bisho, seat 1, must be appointed by the Board of Supervisors, term to be determined;
John Trasvina, seat 2, must be appointed by the Board of Supervisors, term to be determined;
Quintin Mecke, seat 3, must be appointed by the Board of Supervisors, term to be determined.

RECOMMENDED.. by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011944 **[Appointment]**

Hearing to consider appointing 12 members to the Community Land Trust Task Force.

12 Seats Being Considered:
Vacant seat, new appointment, seat 1, must represent San Francisco neighborhoods at large, term to be determined;
Vacant seat, new appointment, seat 2, must represent San Francisco neighborhoods at large, term to be determined;
Vacant seat, new appointment, seat 3, must represent San Francisco neighborhoods at large, term to be determined;
Vacant seat, new appointment, seat 4, must represent San Francisco neighborhoods at large, term to be determined;
Vacant seat, new appointment, seat 5, must represent San Francisco neighborhoods at large, term to be determined;
Vacant seat, new appointment, seat 6, must be an affordable housing advocate or a nonprofit housing developer, term to be determined;
Vacant seat, new appointment, seat 7, must be a tenant advocate, term to be determined;
Vacant seat, new appointment, seat 8, must be a homeless advocate, term to be determined;
Vacant seat, new appointment, seat 9, must be a member of an existing community land trust organization, term to be determined;
Vacant seat, new appointment, seat 10, must be a person experienced in the private financing of housing and experienced as a licensed realtor, term to be determined;
Vacant seat, new appointment, seat 11, must be a person experienced in public financing of housing, term to be determined;
Vacant seat, new appointment, seat 12, must represent the small business community and be nominated by the City's Small Business Commission or the San Francisco Chamber of Commerce, term to be determined.

10/22/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Scott Clark; Tom Wetzel; Marc Salomon; Delia Tomino Nakayama; Peter Doty; Rene Cazenave; Marianne Love; David Jay Bonn; Philip Williams; Lotus Yee Fong; Ada Chan; Mary Gutknecht; Lisa Feldstein; Benard Choden; Mark Wilson; Ash Kumar Gujral.

Appointment of Peter Doty, seat 1, Marianne Love, seat 2, Lotus Yee Fong, seat 3, Ada Chan, seat 4, Lisa Feldstein, seat 5, Rene Cazenave, seat 6, Marc Salomon, seat 7, James Tracy (residency requirement waived), seat 8, David Jay Bonn (residency requirement waived), seat 9, Ash Kumar Gujral, seat 10, Philip Williams (residency requirement waived) seat 11, and Mark Wilson, seat 12, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Peter Doty, Marianne Love, Lotus Yee Fong, Ada Chan, Lisa Feldstein, Rene Cazenave, Marc Salomon, James Tracy, David Jay Bonn, Ash Kumar Gujral, Philip Williams, and Mark Wilson, terms to be determined, to the Community Land Trust Task Force, residency requirement waived.

Peter Doty, new appointment, seat 1, must represent San Francisco neighborhoods at large, term to be determined;
Marianne Love, new appointment, seat 2, must represent San Francisco neighborhoods at large, term to be determined;
Lotus Yee Fong, new appointment, seat 3, must represent San Francisco neighborhoods at large, term to be determined;
Ada Chan, new appointment, seat 4, must represent San Francisco neighborhoods at large, term to be determined;
Lisa Feldstein, new appointment, seat 5, must represent San Francisco neighborhoods at large, term to be determined;
Rene Cazenave, new appointment, seat 6, must be an affordable housing advocate or a nonprofit housing developer, term to be determined;
Marc Salomon, new appointment, seat 7, must be a tenant advocate, term to be determined;
James Tracy (residency requirement waived), new appointment, seat 8, must be a homeless advocate, term to be determined;
David Jay Bonn (residency requirement waived), new appointment, seat 9, must be a member of an existing community land trust organization, term to be determined;
Ash Kumar Gujral, new appointment, seat 10, must be a person experienced in the private financing of housing and experienced as a licensed realtor, term to be determined;
Philip Williams (residency requirement waived), new appointment, seat 11, must be a person experienced in public financing of housing, term to be determined;
Mark Wilson, new appointment, seat 12, must represent the small business community and be nominated by the City's Small Business Commission or the San Francisco Chamber of Commerce, term to be determined.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011847 **[Prohibiting former members of Board of Supervisors from lobbying]**

Supervisors Peskin, Ammiano, Gonzalez, Newsom, Daly

Ordinance amending San Francisco Campaign and Governmental Conduct Code by adding Section 3.545 to prohibit former members of the Board of Supervisors from lobbying any governmental body, officer, employee, appointee or representative of the City and County for two years after leaving office.

10/15/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/14/2001.

Heard in Committee. Speaker: Ted Lakey, Deputy City Attorney.

RECOMMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

SPECIAL ORDER - 4:00 P.M.

011164 **[Community Assessment, Referral and Intake Division]**

Supervisors Gonzalez, Sandoval

Ordinance amending Chapter 2A of the San Francisco Administrative Code to add Article XVI, including Section 2A.233 setting forth findings, Section 2A.234 requiring the Juvenile Probation Department to establish the Community Assessment, Referral and Intake Division ("Intake Division") of the Juvenile Probation Department and defining its operations, and Section 2A.235 directing the implementation of the Intake Division.

6/18/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/18/2001.

Heard in Committee. Speakers: Millicent Olawale, Youth Commission; Jamize Olawale, Youth Commission; Mari Villaluna, Youth Commission; Kamel Jacot-Bell, Youth Commission; Chief Jesse Williams, Juvenile Probation Department; James Bell, Youth Law Center; Gary Bieringer, Community Assessment and Referral Center; Johnathan West; Amy Blair; Jamica Jones; Marcus Ramirez; Kuwana; Sandra Melara; Teresa Gallegos; Enrinque; Jessie; Kate Weinstein Miller, Mayor's Criminal Justice Council; Sierra Harris; Drew; Jessie Alsario; Fela Thomas; Demone Hale; Maraya Massin-Zevey; Berneta Adolf; Max Raymard; Irma Gonzalaz; female; female; NTanya Lee, Coleman Advocates.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 2 - Gonzalez, Hall
Absent: 1 - Ammiano

ADJOURNMENT

The meeting adjourned at 6:55 pm.

[Budget Analyst Rep
Susan Hom
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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

December 3, 2001

TO: Rules Committee

FROM: Budget Analyst

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SUBJECT: December 6, 2001 Rules Committee Meeting

Item 9 - File 01-1066

Department: Department of Elections
Department of Administrative Services

Item: Ordinance amending Sections 535 and 830 of the San Francisco Municipal Elections Code to (1) require that paid ballot arguments be submitted to the Department of Elections at least 74 days before an election, (2) require the submission of paid ballot arguments on forms, in electronic format and via electronic media prescribed by the Director of Elections and (3) increase the fees for paid ballot arguments.

Description: Currently, Section 535 of the City's Municipal Elections Code requires that ballot arguments submitted for publication as paid arguments for or against a measure must be submitted to the Director of Elections no later than noon of the 70th day prior to the election at which the measure is to be voted upon. The proposed ordinance would amend this Section to require that such ballot arguments be submitted to the Director of Elections no later than noon of the 74th day prior to the

election, or four days earlier than is currently required.

The proposed ordinance would also amend Section 535 of the Municipal Elections Code to add a new subsection (f) to require that all arguments be submitted to the Director of Elections based on a form, in an electronic format and via electronic method, that is specified by the Director of Elections. Currently, the Municipal Elections Code is silent regarding the forms, format and electronic method for submitting such arguments.

Currently, Section 830 of the City's Municipal Elections Code requires that at the time the paid ballot argument is submitted to the Director of Elections, the author of the ballot argument must pay the City a ballot argument filing fee of $200 plus $2.00 per word. The proposed ordinance would amend this Section to increase this ballot argument filing fee to $220 plus $2.20 per word, an increase of $20 plus $.20 per word, or a ten percent increase.

If approved, the proposed ordinance would take effect on January 1, 2002 (See Comment No. 7).

Comments:

1. The proposed ordinance is intended to change the election forms, format and methods for submitting all election ballot arguments to the Department of Elections. In addition, the proposed ordinance would change the deadline dates for submitting paid ballot arguments and the filing fees to be paid for such paid arguments in the Voter Information Pamphlet. Any eligible San Francisco voter and/or association of citizens may submit paid arguments for publication in the Voter Information Pamphlet. Each paid argument cannot exceed 300 words.

The official proponents and opponents of ballot measures do not have to pay for their arguments or their rebuttal arguments in the Voter Information

Pamphlet[1]. The official proponents and opponents arguments would continue to be required to be submitted to the Director of Elections no later than noon of the 77th day prior to the election at which the measure is to be voted upon and the rebuttal arguments would continue to be required to be submitted no later than the 70th day before the election, in accordance with Section 535 of the Municipal Elections Code.

2. Effective January 1, 1998, the Board of Supervisors approved an increase in the subject ballot argument filing fees from $200 plus $2.00 per word to $200 plus $3.00 per word, an increase of $1.00 per word. However, in response to objections from several members of the public, effective January 1, 1999, the Board of Supervisors approved a subsequent reduction in the City's ballot argument filing fees, such that these fees were reduced from $200 plus $3.00 per word, back to the previous $200 plus $2.00 per word.

Alternatively, in accordance with Section 840 of the Municipal Elections Code, the author of any paid ballot argument may submit a petition containing signatures in lieu of paying the ballot argument filing fees. Each signature of a registered voter in the City and County reduces the amount of the paid ballot argument fees by $0.50. If a ballot argument proponent collects enough signatures, the fee can be eliminated entirely (See Comment No. 3).

3. According to Mr. Ara Minasian of the Administrative Services Department, the average length of a ballot argument is 160 words.

[1] In accordance with the Department of Elections' Ballot Argument Guide, for each measure, one Proponent Argument in favor of the measure and one Opponent Argument against may be printed in the Voter Information Pamphlet free of charge. The Proponent's Argument and the Opponent's Argument are selected in accordance with the following statutory priorities: (1) the proponent of an initiative petition or in the case of a referendum, the person who files the referendum petition with the Board of Supervisors; (2) the Board of Supervisors or any member designated by the Board; (3) the Mayor; (4) any individual registered San Francisco voter, group of registered San Francisco voters, association or organization or combination thereof.

Currently, the cost to submit the average length 160-word ballot argument is $520, or $200 plus $2 per word for 160 words. Under the proposed ordinance, the cost to submit a 160-word ballot argument would increase to $572, or $220 plus $2.20 per word for 160 words, an increase of $52 or ten percent. If a ballot proponent collected 1,144 or more signatures, the $572 fee would be waived ($0.50 per signature times 1,144 signatures).

4. In accordance with the existing Municipal Election Code provisions that paid ballot arguments be submitted no later than noon of the 70th day prior to the election, for the upcoming March 5, 2002 election, paid ballot arguments would be required to be submitted no later than noon December 25, 2001, which has been extended to noon on December 26, 2001, due to the Christmas holiday. Under the proposed ordinance the required submittal date would be the 74th day prior to the election, which is four days earlier than the current provisions, or December 21, 2001 for the upcoming March 5, 2001 election. According to Mr. Ara Minasian of the Department of Administrative Services, the Department of Elections wants to move the required submission date up four days in order to provide the Department of Elections with sufficient time to adequately prepare and print the Voter Information Pamphlet.

According to Mr. Minasian, for each argument the Department of Elections must (a) word-process, proof and translate each argument (5-10 days, depending on the size and number of arguments submitted), (b) make the arguments available for public inspection (mandatory 10 days), and (c) print and address the Voter Information Pamphlets (contracted out, up to 14 days). Together, these tasks can take up to 34 days to complete. However, Mr. Minasian advises that it is the goal of the Department of Elections to have the Voter Information Pamphlet to the U.S. Postal Service for

delivery to the voters 40 days prior to the election[2], assuming that it will take up to five days for the U.S. Postal Service to deliver the Voter Information Pamphlets. Therefore, if the paid arguments are not submitted until 70 days prior to the election and it can take up to 34 days to complete the tasks to produce the Voter Information Pamphlet, the Department currently only has 36 days, and not 40 days, prior to the election to deliver the Voter Information Pamphlet. The proposed ordinance would move the 70-day deadline back to 74 days prior to the election to allow four additional days, such that the Department of Elections would be able to spend up to the necessary 34 days to complete the tasks to produce the Voter Information Pamphlets and still have 40 days prior to the election to deliver the Voter Information Pamphlets to the voters.

5. In order to encourage individuals or groups to submit their paid arguments up to four days prior to the deadline to give the Department additional time to prepare the Voter Information Pamphlets, the Department of Elections has been offering discounts for paid ballot arguments that are submitted early and that are in preferred formats, according to Mr. Minasian, since at least 1990. Mr. Minasian advises that the exact date when these discounts began and who initially authorized these discounts is not known. However, in accordance with the Ballot Argument Guide, prepared by the Department of Elections, for the upcoming March 5, 2002 election, discounts of $150 are applicable to paid arguments submitted by noon on December 21, 2001 or discounts of $50 are applicable for paid arguments submitted by December 24, 2001. In addition, $25 discounts are available for individuals or groups who submit their paid arguments "neatly typed on the correct form" or

[2] Mr. Minasian notes that the Voter Information Pamphlet includes an absentee ballot request card and if the Voter Information Pamphlet goes out much later than 40 days prior to the election, it will delay the absentee ballot vote count since more voters will drop off their absentee ballots at the polls if they do not have sufficient time to mail their ballots back to the Department of Elections prior to election day.

$75 discounts are available for individuals or groups who submit their paid arguments on a computer disk and on the correct form. The Ballot Argument Guide states that these discounts can be combined for a maximum discount of $225. Alternatively, the author of any paid ballot argument may submit a petition containing signatures in lieu of paying the remaining ballot argument filing fees, at the value of $0.50 per signature.

The Budget Analyst notes that both the existing and proposed provisions of the City's Municipal Elections Code state specific deadlines and specific fees for the paid arguments and such provisions do not include authorizations for offering any discounts. The Budget Analyst therefore questions the existing practice of the Department of Elections to offer discounts, which have not been authorized by the Board of Supervisors. Mr. Ted Lakey of the City Attorney's Office confirms that unless approved by the Board of Supervisors, the Department of Elections is not authorized to offer any discounts for paid ballot arguments.

6. As shown in the Attachment, prepared by Mr. Minasian, the total cost to prepare the 128-page Voter Information Pamphlet for the November of 2001 election was $432,500. Thirty-two pages contained 137 paid ballot arguments, or 25 percent of the total 128-page Voter Information Pamphlet contained paid ballot arguments. Therefore, the estimated cost of the paid ballet arguments was $108,125 (25 percent times $432,500) according to Mr. Minasian[3]. However, Mr. Minasian advises that a total of only $23,962 was collected for the November of 2001 election by the Department of Elections for the 137 paid ballot arguments, or

[3] The Budget Analyst notes that although the estimated cost of the paid ballot arguments was $108,125, the marginal cost of including the paid ballot arguments in the Voter Information Pamphlet is likely less, although it has not been calculated. That is, the Department of Elections would already be incurring the cost of producing the Voter Information Pamphlet and thus the marginal cost of including 32 additional pages for paid ballot arguments to the existing costs is simply the cost to proof, translate, print and any additional mailing costs for that increment.

approximately 22 percent of the average cost for the Department to include these paid ballot arguments in the Voter Information Pamphlet. Under the currently authorized fee structure, the Department should have received approximately $71,240. Mr. Minasian advises that the $47,278 difference ($71,240 projected revenue less $23,962 actually received) is primarily due to the paid ballot argument discounts that were provided. According to Mr. Minasian, signatures were submitted in-lieu of paying the filing fees for only one or two of the total 137 paid ballot arguments for the November of 2001 election, and generally do not represent a significant portion of the paid ballot arguments.

The Budget Analyst notes that the $47,278 discounts awarded for the November of 2001 election represent almost twice as much as the $23,962 that was actually collected by the Department.

Under the proposed ten percent fee increase, Mr. Minasian estimates that $78,364 would be collected, if a comparable number of paid ballot arguments are submitted in future elections, and the Department of Elections does not offer discounts. However, the Budget Analyst notes that, given the unauthorized practice of the Department of Elections to offer discounts in the past, that there is nothing in the subject legislation that would prohibit the Department from continuing to offer such unauthorized discounts in the future.

7. If approved, the proposed legislation would become effective January 1, 2002. However, Mr. Minasian advises that given the current timeframe for submitting ballot arguments for the March 5, 2002 election, the proposed ordinance would not affect the March 5, 2002 election. The first election that the proposed ordinance would affect is the November of 2002 election.

However, the Budget Analyst notes that the Department of Elections FY 2001-02 budget

included projected increased revenues of $62,087, primarily resulting from (1) the elimination of discounted fees for early submission of paid ballot arguments and (2) a ten percent increase in ballot argument fees beginning with the March of 2002 elections' Voter Information Pamphlet. Given that the subject legislation will not take effect until the November of 2002 election, the Budget Analyst notes that the Department of Elections FY 2001-02 budget will likely be underfunded, due to a revenue shortfall of an estimated $40,000 to $50,000 ($68,000 of revenue projected in the FY 2001-02 budget from the March of 2002 paid ballot arguments less an estimated $18,000 to $28,000 of revenue that will be realized, given the existing discounts and lower fee schedule).

8. The Budget Analyst notes that the title of the proposed ordinance amends the Municipal Elections Code to require the submission of paid ballot arguments on forms prescribed by the Director of Elections and in electronic format. However, the body of the proposed ordinance does not specifically state that only paid ballot arguments must be submitted on forms and in a format specified by the Director of Elections, and Mr. Minasian confirms that it is the intent of the subject legislation to require that all arguments, whether paid or free, be submitted on the specified forms and format prescribed by the Director of Elections. Therefore, the Budget Analyst recommends that the title of the proposed ordinance be amended to delete the word "paid" from line 5.

9. In summary, the proposed ordinance would amend the Municipal Elections Code to (1) require that paid ballot arguments be submitted to the Department of Elections at least 74 days before an election, rather than the current 70 days, or an additional four days, (2) require the submission of ballot arguments on forms, format and via electronic methods prescribed by the Director of Elections and (3) increase the fees from $200 and $2.00 per word to $220 and $2.20 per word for paid

ballot arguments. However, as detailed in Comment No. 5 above, the Budget Analyst questions the unauthorized practice of the Department of Elections to offer discounts of up to $225 for paid ballot arguments that are submitted prior to the deadline, or in preferred formats for at least the past ten years and that are continuing to be offered by the Department. Mr. Ted Lakey of the City Attorney's Office advises that unless approved by the Board of Supervisors, the Department of Elections is not authorized to offer any such discounts. Furthermore, the Budget Analyst notes that the Department of Elections FY 2001-02 budget has a revenue shortfall of an estimated $40,000 to $50,000 because the Department included projected increased revenues of $62,087 primarily due to the elimination of discounted fees and the subject ten percent increase in fees beginning with the March of 2002 election. However, due to the delay in the Department submitting the proposed ordinance, the proposed legislation would not become effective until the November of 2002 election.

Recommendations:

1. Delete the word "paid" from line 5 of the title of the proposed ordinance, in accordance with Comment No. 8.

2. Approval of the proposed ordinance, as amended, is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Gonzalez
Supervisor Hall
President Ammiano
Clerk of the Board
Controller
Ben Rosenfield

ANALYSIS OF PAID BALLOT ARGUMENT COSTS AND REVENUES

Costs of November, 2001, Voter Information Pamphlet			
	Printing	$ 213,000	
	Translations	65,500	
	Mail House	26,000	
	Postage	98,000	
	Layout/Proofing	30,000	
	Total	$ 432,500	
Total number of pages		128	
Number of pages for paid ballot arguments		32	
Paid ballot arguments as percentage of VIP (straight average)		25%	
Imputed cost of paid ballot arguments		$ 108,125	
Potential Revenue Under Current/Proposed Fee Structures			
		Current	**Proposed**
	Average length (words)	160	160
	Fee per word	$ 2.00	$ 2.20
	Average per-word fee per ballot argument	$ 320	$ 352
	Flat fee	200	220
		$ 520	$ 572
	Number of paid ballot arguments	137	137
	Total revenue	$ 71,240	$ 78,364
Actual revenue received for November, 2001, election, net of discounts			
	Average revenue per paid ballot argument	$ 175	
	Total revenue received	$ 23,962	

Committees]
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City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, December 06, 2001 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

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The meeting convened at 1:15 pm.

REGULAR AGENDA

011718 **[Appointment]**
Hearing to consider appointing one member to the Assessment Appeals Board No. 1.

1 Seat Being Considered:
Vacant seat, succeeding Ermelinda Trevino, seat 3, resigned, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for the unexpired portion of a three-year term expiring September 2, 2002.
9/20/01, CONTINUED TO CALL OF THE CHAIR. Divided from file 010261.
9/25/01. RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Diane Robinson; Stephen Wasserman; Dawn Duran, Administrator, Assessment Appeals Board.

Appointment of Diane Robinson, seat 3, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.
Resolution appointing Diane Robinson, term ending September 2, 2002, to the Assessment Appeals Board No. 1.

Diane Robinson, succeeding Ermelinda Trevino, seat 3, resigned, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code, for the unexpired portion of a three-year term expiring September 2, 2002.
RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

012086 **[Appointment]**

Hearing to consider appointing one member to the Transgender Civil Rights Implementation Task Force.

1 Seat Being Considered:
Vacant seat, succeeding Shawna Virago, resigned, seat 10, must be a member of the transgender community, for the unexpired portion of a two year term ending June 1, 2002.
11/15/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Eugene Obermier.

Continued to December 20, 2001.
CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

000793 **[Appointment]**

Hearing to consider one appointment to the Animal Control & Welfare Commission.

1 Seat Being Considered:
Seat 7, succeeding Sheila Martin, must be licensed veterinarian, for new two-year term ending April 30, 2002.
4/27/00, CONTINUED TO CALL OF THE CHAIR. Divided from File 000326.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Kelly Jensen; Frederick Hobson; Elissa Eckman; Bud Wilson; Cheryl Bentley.

Continued to December 20, 2001.
CONTINUED.

012082 **[Appointment]**

Hearing to consider appointing one member to the Golden Gate Park Stables Working Group.

1 Seat Being Considered:
Vacant Seat, new position, seat 6, must be a licensed professional engineer with experience in the construction and/or the rehabilitation of horse stables, term to be determined.
11/14/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Robert Dougherty.

Appointment of Robert Dougherty (residency requirement waived), seat 6, recommended.
PREPARED IN COMMITTEE AS A MOTION.

Resolution appointing Robert Dougherty, term to be determined, to the Golden Gate Park Stables Working Group, residency requirement waived.

Robert Dougherty (residency requirement waived), new position, seat 6, must be a licensed professional engineer with experience in the construction and/or the rehabilitation of horse stables, term to be determined.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

012121 [Appointment]

Hearing to consider appointing four members to the Adult Day Health Care Planning Council.

4 Seats Being Considered:
Vacant seat, succeeding Rose Lou Randolph, term expired, seat 2, must represent age group, for a new three-year term ending September 30, 2004;
Vacant seat, succeeding Carole Kilgariff, term expired, seat 3, must represent age group, for a new three-year term ending September 30, 2004;
Vacant seat, succeeding Carole Kilgariff, term expired, seat 7, must represent age group, for a new three-year term ending September 30, 2003;
Vacant seat, succeeding Derrick Lam, term expired, seat 10, must represent the Commission on the Aging, for a new three-year term ending September 30, 2004.

11/26/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Anthony Nicco, Chair, Adult Day Health Care Council; Susan Garbuio; Carole Kilgariff; Rose Lou Randolph; Darrick Lam.

Appointment of Rose Lou Randolph, seat 2, Carole Kilgariff, seat 3, Susuan Garbuio, seat 7, and Darrick Lam (residency requirement waiver), seat 10, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Susuan Garbuio, term ending September 30, 2003, and Rose Lou Randolph, Carole Kilgariff, and Darrick Lam, terms ending September 30, 2004, to the Adult Day Health Care Planning Council, residency requirement waived.

Rose Lou Randolph, succeeding herself, term expired, seat 2, must represent age group, for a new three-year term ending September 30, 2004;
Carole Kilgariff, succeeding herself, term expired, seat 3, must represent age group, for a new three-year term ending September 30, 2004;
Susuan Garbuio, succeeding Carole Kilgariff, term expired, seat 7, must represent age group, for a new three-year term ending September 30, 2003;
Darrick Lam (residency requirement waived), succeeding himself, term expired, seat 10, must represent the Commission on the Aging, for a new three-year term ending September 30, 2004.

RECOMMENDED.. by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012064 [Ballot Processing]

Supervisor Peskin

Hearing to examine ballot processing in the recent November 6 election to address reasoning for using off-site processing centers, protocol that was developed for ballot processing, and the chain of custody of ballots that were taken outside of City Hall.

11/13/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Aaron Peskin; Tammy Haygood, Director, Department of Elections; Richard Charles Shadoian; Bill Lee, City Administrator; Sgt. Paulson, Sheriff's Department; Dave Rogers; Danela Cursinba; Aldan Miga; Sonya Ng; Barbara Meskunas; Doug Comstock.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012002 **[Official Arguments in Voter Guide]**

Supervisor Hall

Ordinance amending Section 545 of the Municipal Elections Code (a) to allow individuals and organizations to submit only one free ballot argument per measure and (b) to establish a new priority level for state and local elected officials registered to vote in San Francisco who submit ballot arguments.

11/5/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee. expires on 12/5/2001.

Heard in Committee. Speakers: Chris Bowman.

The Rules Committee requests that File No. 012002 and 011066 be heard together.

The Rules Committee requests that File No. 012002 and 011066 be forwarded to the Elections Commission.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011924 **[Mayor's Proposed Annual City Budget]**

Supervisor Yee

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.29 providing that the Mayor's proposed annual City budget shall not be referred to Committee, and shall be considered by the Board of Supervisors at regular or special meetings.

10/22/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

Continued to January 17, 2002.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011066 **[Elections Code]**

Mayor

Ordinance amending Sections 535 and 830 of the San Francisco Municipal Elections Code to (1) require that paid ballot arguments be submitted to the Department of Elections at least 74 days before an election, (2) require the submission of paid ballot arguments on forms prescribed by the Director of Elections and in electronic format, and (3) increase the fees for paid ballot arguments. (Mayor)

6/4/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/5/2001.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney.

The Rules Committee requests that File No. 012002 and 011066 be heard together.

The Rules Committee requests that File No. 012002 and 011066 be forwarded to the Elections Commission.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011686 **[Elections Task Force use the principle of "maximum continuity"]**

Supervisors Gonzalez, Maxwell

Resolution urging the Elections Task Force use the principle of "maximum continuity" in redrawing supervisorial districts.

9/24/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/1/01, REFERRED to Rules Committee. Supervisor Yee moved to sever so that the item could be considered separately.

Heard in Committee. Speakers: none.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011909 **[Municipal Election]**

Supervisor Peskin

Ordinance amending Municipal Code by adding Section 970 to prohibit the giving or receiving of anything of value in consideration of voting, refraining from voting, or voting for or against a candidate or measure at a municipal election.

10/22/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Supervisor Aaron Peskin.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011680 **[Continuum of Care Plan]**

Supervisor Gonzalez

Resolution amending the Continuum of Care Plan to provide that the Board of Supervisors shall appoint a representative of the veteran's advocacy community and shall appoint all neighborhood/community representatives to the Local Homeless Coordinating Board.

9/24/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

Continued to December 20, 2001.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010527 [Establishment of Housing Commission]

Supervisor Gonzalez

Ordinance amending Chapter 2 of the San Francisco Administrative Code by adding Article III thereto; establishing a Housing Commission pursuant to Section 34291 of the California Health and Safety Code to be appointed by the Board of Supervisors; establishing the qualifications and terms for members; and establishing the powers and duties of the Commission.

3/26/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/25/2001.

5/4/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Gregg Fortner, Acting Executive Director, San Francisco Housing Authority; James Van Bergen, San Francisco Housing Authority; John Wilkenson, San Francisco Housing Authority; Evett Albert, San Francisco Housing Authority; Carlton Williams, General Counsel, San Francisco Housing Authority; Mr. Belega; Rev. Amos Brown; Jesse Mason; Roy Rogers; Ms. Rogers; Shawn Richards; Benny Wright; Joyce Armstrong; Watson Low; Marie Harrison; Espanola Jackson; Leboriae P. Smoore; Linda Richardson; Roger Langford; Don Paul; Rev. Arnold Townsend; Stan Warren, San Francisco Building and Trades; Larry Lee; Cecilia Shepard; Clarence Brown; Waymond Nichols; Lillie Chess; Muriel Kibby; Jacqualine Sachs; Alma Lark; Theaster Jones.

10/18/01, CONTINUED. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Rob Eshelman, aide to Supervisor Gonzalez; Gregg Fortner, Acting Executive Director, San Francisco Housing Authority; Mr. Penagle; Don Paul; Cecilia Shepard; John Stewart; Terrall Rogers; Whaticia Jennine Patterson; Marrisa Washington; Marie Harrison; Dimitrias Williams; James VanBurg, Housing Authority; Bianca Henry, Coalition on Homelessness; Sandra Floura; Kimberly Hill Brown; Marc Salomon; Richard Ow; Judy Yee, Commissioner, Housing Authority.

Continued to December 6, 2001.

Heard in Committee. Speakers: none.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

010531 [Board of Supervisors as Governing Body]

Supervisor Gonzalez

Resolution rescinding that portion of Resolution No. 3874 requesting the Mayor to appoint commissioners of the Housing Authority of the City and County of San Francisco, and declaring the Board of Supervisors to be the Commissioners of the Housing Authority.

3/26/01, RECEIVED AND ASSIGNED to Rules Committee.

5/4/01, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Gregg Fortner, Acting Executive Director, San Francisco Housing Authority; James Van Bergen, San Francisco Housing Authority; John Wilkenson, San Francisco Housing Authority; Evett Albert, San Francisco Housing Authority; Carlton Williams, General Counsel, San Francisco Housing Authority; Mr. Belega; Rev. Amos Brown; Jesse Mason; Roy Rogers; Ms. Rogers; Shawn Richards; Benny Wright; Joyce Armstrong; Watson Low; Marie Harrison; Espanola Jackson; Leboriae P. Smoore; Linda Richardson; Roger Langford; Don Paul; Rev. Arnold Townsend; Stan Warren, San Francisco Building and Trades; Larry Lee; Cecilia Shepard; Clarence Brown; Waymond Nichols; Lillie Chess; Muriel Kibby; Jacqualine Sachs; Alma Lark; Theaster Jones.

10/18/01, CONTINUED. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Rob Eshelman, aide to Supervisor Gonzalez; Gregg Fortner, Acting Executive Director, San Francisco Housing Authority; Mr. Penagle; Don Paul; Cecilia Shepard; John Stewart; Terrall Rogers; Whaticia Jennine Patterson; Marrisa Washington; Marie Harrison; Dimitrias Williams; James VanBurg, Housing Authority; Bianca Henry, Coalition on Homelessness; Sandra Floura; Kimberly Hill Brown; Marc Salomon; Richard Ow; Judy Yee, Commissioner, Housing Authority.

Continued to December 6, 2001.

Heard in Committee. Speakers: none.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 4:28 pm.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Wednesday, December 12, 2001 **3:30 PM** **City Hall, Room 263**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

AGENDA CHANGES

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The meeting convened at 3:40 pm.

REGULAR AGENDA

012087 **[Appointment]**

Hearing to consider appointing one member to the Elections Commission.

1 Seat Being Considered:
Vacant seat, new position, seat 1, must be a representative of the general public, for a new five-year term ending January 1, 2004.

11/16/01. RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Richard Charles Shadoian; Barbara Meskunas; Ted Lakey, Deputy City Attorney; Angelina Alioto-Grace; Alix Rosenthal; Catherine Burk.

Continued to December 20, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

012139 **[Appointment - Chantel L. Walker]**

Mayor

Resolution confirming the appointment of Chantel L. Walker to the San Francisco Redevelopment Agency, vice Michael Settles, for the remainder of a four-year term ending September 2, 2003. (Mayor)

12/3/01. RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Chantel L. Walker; Supervisor Chris Daly; Ted Lakey, Deputy City Attorney; Mr. Welsh; Benny Yee, President, Redevelopment Agency; Ramon Romero, Redevelopment Agency; Pam David; Gene Coleman.

RECOMMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

012168 **[Ballot Argument - Noncitizens on City Boards, Commissions, and Advisory Bodies.]**

Supervisor Gonzalez

Motion authorizing proponent's ballot argument in favor of Proposition _____, a Charter Amendment regarding Noncitizens on City Boards, Commissions, and Advisory Bodies.

12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's ballot argument in favor of Proposition C, a Charter Amendment regarding Noncitizens on City Boards, Commissions, and Advisory Bodies.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012170 **[Ballot Argument - Elective Officials]**

Supervisor Gonzalez

Motion authorizing proponent's ballot argument in favor of Proposition _____, a Charter Amendment regarding Elective Officials.

12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: none.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's ballot argument in favor of Proposition A, a Charter Amendment regarding Elective Officials.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012172 **[Ballot Argument - Domestic Partners Benefits]**

Supervisor Leno

Motion authorizing proponent's argument in favor of Proposition _____, a Charter Amendment regarding Domestic Partner Benefits.

12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Bob Hartnagel, aide to Supervisor Mark Leno.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's argument in favor of Proposition E, a Charter Amendment regarding Domestic Partner Benefits.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012174 **[Ballot Argument - Planning Commission and Board of Appeals]**

Supervisor McGoldrick

Motion authorizing proponent's ballot argument in favor of Proposition _____, a Charter Amendment regarding Appointments to the Planning Commission and the Board of Appeals.

12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: John Bardis.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's ballot argument in favor of Proposition D, a Charter Amendment regarding Appointments to the Planning Commission and the Board of Appeals.

RECOMMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

012176 **[Ballot Argument - Cost of Living Benefits for Retirees]**

Supervisor McGoldrick

Motion authorizing proponent's ballot argument in favor of Proposition _____, a Charter Amendment regarding Cost of Living Benefits for Retirees.

12/3/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: John Madden.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Motion authorizing proponent's ballot argument in favor of Proposition B, a Charter Amendment regarding Cost of Living Benefits for Retirees.

RECOMMENDED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 5:05 pm.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, December 20, 2001 **1:00 PM** **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

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The meeting convened at 1:11 pm.

REGULAR AGENDA

011797 **[Mandating Police Crisis Intervention Training and Semiannual Reporting.]**

Supervisor Ammiano

Resolution urging the Police Commission and the San Francisco Police Department (SFPD) to mandate a Police Crisis Intervention training for the San Francisco Police Department Officers.

10/9/01, RECEIVED AND ASSIGNED to Neighborhood Services and Parks Committee.

11/29/01, TRANSFERRED to Rules Committee. The president requests this item be on December 20 agenda, item #1.

Heard in Committee. Speakers: Sergeant Mike Sullivan, ADA Coordinator, San Francisco Police Department; Jo Ruffin, Director, Community Mental Health Services; Helenya Brook, Executive Director, Mental Health Board; Samantha Liapes, Director, Bay Area Police Watch; Marykate Conner, Executive Director, Caduceus Outreach Services; Misha Monge-Irizarry; Marissa Villa Luna, Youth Commission; Greg Arcia; John Bardis; Frederick Hobson; Ms. Raider; Angelo Mayo, Coalition on Homelessness; Ted Lakey, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Resolution urging the Police Commission and the San Francisco Police Department (SFPD) to mandate a Police Crisis Intervention training for the San Francisco Police Department Officers, and requiring semiannual reporting, beginning in June of 2002, regarding the status and success of the training.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011680 **[Continuum of Care Plan]**

Supervisor Gonzalez

Resolution amending the Continuum of Care Plan to provide that the Board of Supervisors shall appoint a representative of the veteran's advocacy community and shall appoint all neighborhood/community representatives to the Local Homeless Coordinating Board.

9/24/01, RECEIVED AND ASSIGNED to Rules Committee.

12/6/01, CONTINUED. Heard in Committee. Speakers: none.

Continued to December 20, 2001.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney: Jennifer Friedenbach.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

Continued to January 9, 2001.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012087 **[Appointment]**

Hearing to consider appointing one member to the Elections Commission.

1 Seat Being Considered:

Vacant seat, new position, seat 1, must be a representative of the general public, for a new five-year term ending January 1, 2004.

11/16/01, RECEIVED AND ASSIGNED to Rules Committee.

12/12/01, CONTINUED. Heard in Committee. Speakers: Richard Charles Shadoian; Barbara Meskunas; Ted Lakey, Deputy City Attorney; Angelina Alioto-Grace; Alix Rosenthal; Catherine Burk.

Continued to December 20, 2001.

Heard in Committee. Speakers: Richard Matthews; Terrence Patterson; James Slaughter; Hilda Bernstein; Ted Lakey, Deputy City Attorney; Thomas Schulz; Kathryn Burke; Chris Bowman.

Appointment of Thomas Schulz, seat 1, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution apppointing Thomas Schulz, term ending January 1, 2004, to the Elections Commission.

Thomas Schulz, new position, seat 1, must be a representative of the general public, for a new five-year term ending January 1, 2004.

(Supervisor Gonzalez dissenting in Committee.)

RECOMMENDED.. by the following vote:

Ayes: 2 - Hall, Ammiano

Noes: 1 - Gonzalez

012122 **[Appointment]**
Hearing to consider appointing five members to the Emergency Room Diversion Task Force.

5 Seats Being Considered:
Vacant seat, succeeding Steven Polevoi, resigned, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Vacant seat, new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined;
Vacant seat, new position, seat 13, must be a representative of the Community Substance Abuse Services, term to be determined;
Vacant seat, new position, seat 15, must represent labor, term to be determined;
Vacant seat, new position, seat 16, must be the director of the Population, Health and Prevention Unit in the Department of Public Health, term to be determined.
11/15/01, RECEIVED AND ASSIGNED to Rules Committee.
11/15/01, CONTINUED TO CALL OF THE CHAIR. Divided from File No. 011949.
11/29/01, CLERICAL CORRECTION to Rules Committee. Seat 2 and 16 added
Heard in Committee. Speakers: Brian Wetzel.

Seats 2, 10, 13, and 16 divided and continued to the call of the chair. See File No. 012288.
DIVIDED.
Hearing to consider appointing one member to the Emergency Room Diversion Task Force.

1 Seats Being Considered:
Vacant seat, new position, seat 15, must represent labor, term to be determined.
Appointment of Brian Wetzel, seat 15, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.
Resolution appointing Brian Wetzel, term to be determined, to the Emergency Room Diversion Task Force.

Brian Wetzel, new position, seat 15, must represent labor, term to be determined.
RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

012288 **[Appointment]**
Hearing to consider appointing four members to the Emergency Room Diversion Task Force.

4 Seats Being Considered:
Vacant seat, succeeding Steven Polevoi, resigned, seat 2, must be an emergency room physician from the Emergency Physicians Association, term to be determined;
Vacant seat, new position, seat 10, must be a representative of the San Francisco Fire Department, term to be determined;
Vacant seat, new position, seat 13, must be a representative of the Community Substance Abuse Services, term to be determined;
Vacant seat, new position, seat 16, must be the director of the Population, Health and Prevention Unit in the Department of Public Health, term to be determined.
Divided from File No. 012122.
CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

000793 **[Appointment]**

Hearing to consider one appointment to the Animal Control & Welfare Commission.

1 Seat Being Considered:
Seat 7, succeeding Sheila Martin, must be licensed veterinarian, for new two-year term ending April 30, 2002.
4/27/00, CONTINUED TO CALL OF THE CHAIR. Divided from File 000326.
12/6/01, CONTINUED. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Kelly Jensen; Frederick Hobson; Elissa Eckman; Bud Wilson; Cheryl Bentley.

Continued to December 20, 2001.

Heard in Committee. Speakers: John Aldridge; Frederick Hobson; Bud Wilson.

Appointment of Kelly Jensen, seat 7, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Kelly Jensen, term ending April 30, 2002, to the Animal Control & Welfare Commission.

Kelly Jensen, succeeding Sheila Martin, seat 7, must be licensed veterinarian, for the unexpired portion of a two-year term ending April 30, 2002.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

012086 **[Appointment]**

Hearing to consider appointing one member to the Transgender Civil Rights Implementation Task Force.

1 Seat Being Considered:
Vacant seat, succeeding Shawna Virago, resigned, seat 10, must be a member of the transgender community, for the unexpired portion of a two year term ending June 1, 2002.
11/15/01, RECEIVED AND ASSIGNED to Rules Committee.
12/6/01, CONTINUED. Heard in Committee. Speakers: Eugene Obermier.

Continued to December 20, 2001.

Heard in Committee. Speakers: Christine Smith; Gwyn Smith.

Appointment of Christine Smith, seat 10, recommended.
PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Christine Smith, term ending June 1, 2002, to the Transgender Civil Rights Implementation Task Force, residency requirement waived.

Christine Smith (residency requirement waived), succeeding Shawna Virago, resigned, seat 10, must be a member of the transgender community, for the unexpired portion of a two year term ending June 1, 2002.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

012126 [Appointment]

Hearing to consider appointing seven members to the City Non-Profit Contracting Task Force.

7 Seats Being Considered:
Vacant seat, new position, seat 1, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Vacant seat, new position, seat 2, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Vacant seat, new position, seat 3, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Vacant seat, new position, seat 4, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Vacant seat, new position, seat 5, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Vacant seat, new position, seat 6, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Vacant seat, new position, seat 7, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002.
11/29/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Glen Washington; Sandy Mori; James Illig; Tiffany Mock-Goeman.

Continued to January 9, 2001.

CONTINUED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 5:35 pm.

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NOTICE OF CANCELLED MEETING

RULES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the meeting of the Rules Committee scheduled for Thursday, January 3, 2002 at 1:00 p.m. at 1 Dr. Carlton B. Goodlett Place, Room 263, City Hall, San Francisco, California, has been **cancelled**.

Gloria L. Young, Clerk of the Board

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City and County of San Francisco
Meeting Minutes
Rules Committee

City Hall
1 Dr. Carlton B.
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San Francisco, CA
94102-4689

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Monday, January 07, 2002 | **9:00 AM** | **City Hall, Room 263**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

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The meeting convened at 9:03 a.m.

REGULAR AGENDA

012144 **[Recount of Votes Cast at November 7, 2000 San Francisco Election]**

Supervisor Gonzalez

Resolution urging the District Attorney to petition the Superior Court under California Elections Code Section 15640 for an order directing a public recount of the votes cast at the November 7, 2000 San Francisco Municipal election.

12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
12/10/01, REFERRED to Rules Committee. Supervisor Gonzalez requested this matter be severed so it could be considered separately.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012145 **[Recount of Votes Cast at November 6, 2001 San Francisco Election]**

Supervisor Gonzalez

Resolution urging the District Attorney to petition the Superior Court under California Elections Code Section 15640 for an order directing a public recount of the votes cast at the November 6, 2001 San Francisco Municipal election.

12/3/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
12/10/01, REFERRED to Rules Committee. Supervisor Gonzalez requested this matter be severed so it could be considered separately.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney.

TABLED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012219 **[Declaration of November 6, 2001 Election Results]**

Resolution declaring the results of the November 6, 2001 Consolidated Municipal Election. (Elections Department)

12/12/01, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
12/17/01, REFERRED to Rules Committee.

Heard in Committee. Speakers: Buck Delventhal, Deputy City Attorney.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 9:42 a.m.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Wednesday, January 09, 2002 **3:00 PM** **City Hall, Room 263**

Special Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

The meeting convened at 3:03 p.m.

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REGULAR AGENDA

012274 **[Appointment - Public Utilities Commission]**

Motion approving the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, for the term ending January 15, 2005. (Mayor)

12/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14, 2002.

Heard in Committee. Speakers: Karin Carlson, Mayor's Office; John Kennedy, Deputy City Attorney.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012275 **[Appointment - Public Utilities Commission]**

Motion rejecting the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission. (Mayor)

12/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14, 2002.

Heard in Committee. Speakers: Karin Carlson, Mayor's Office; John Kennedy, Deputy City Attorney.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012276 **[Appointment - Public Utilities Commission]**

Motion taking no position concerning the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, for term ending January 15, 2005. (Mayor)

12/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14, 2002.

Heard in Committee. Speakers: Karin Carlson, Mayor's Office; John Kennedy, Deputy City Attorney.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012277 **[Appointment - Public Utilities Commission]**

Motion approving the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission, for the term ending January 15, 2004. (Mayor)

12/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14, 2002.

Heard in Committee. Speakers: Karin Carlson, Mayor's Office; John Kennedy, Deputy City Attorney; Jeffrey A. Chen; Peter Chong; Ken Wong; Julia Ling, Chinese Newcomers Service Center; Peter Lee; Maisie Wong, San Francisco Mission Chinese Business Improvement Association; Cheung Lee; Jim Fuller; Dennis Wong; Tim Chen; Tommy Tang; Don Gibbs; Ying Yip; Bowman Leong; Tyrone Jew; Rev. Arnold Townsend; Richard Ow.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012278 **[Appointment - Public Utilities Commission]**

Motion rejecting the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission. (Mayor)

1/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14, 2002.

Heard in Committee. Speakers: Karin Carlson, Mayor's Office; John Kennedy, Deputy City Attorney; Jeffrey A. Chen; Peter Chong; Ken Wong; Julia Ling, Chinese Newcomers Service Center; Peter Lee; Maisie Wong, San Francisco Mission Chinese Business Improvement Association; Cheung Lee; Jim Fuller; Dennis Wong; Tim Chen; Tommy Tang; Don Gibbs; Ying Yip; Bowman Leong; Tyrone Jew; Rev. Arnold Townsend; Richard Ow.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012279 **[Appointment - Public Utilities Commission]**

Motion taking no position concerning the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission, for term ending January 15, 2004. (Mayor)

12/18/01, RECEIVED AND ASSIGNED to Rules Committee. With direction to report back to Board by January 14. 2002.

Heard in Committee. Speakers: Karin Carlson, Mayor's Office; John Kennedy, Deputy City Attorney; Jeffrey A. Chen; Peter Chong; Ken Wong; Julia Ling, Chinese Newcomers Service Center; Peter Lee; Maisie Wong, San Francisco Mission Chinese Business Improvement Association; Cheung Lee; Jim Fuller; Dennis Wong; Tim Chen; Tommy Tang; Don Gibbs; Ying Yip; Bowman Leong; Tyrone Jew; Rev. Arnold Townsend; Richard Ow.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

011680 [Continuum of Care Plan]

Supervisor Gonzalez

Resolution amending the Continuum of Care Plan to provide that the Board of Supervisors shall appoint a representative of the veteran's advocacy community and shall appoint all neighborhood/community representatives to the Local Homeless Coordinating Board.

9/24/01. RECEIVED AND ASSIGNED to Rules Committee.

12/6/01, CONTINUED. Heard in Committee. Speakers: none.

Continued to December 20, 2001.

12/20/01, AMENDED. AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; Jennifer Friedenbach.

12/20/01, CONTINUED AS AMENDED Continued to January 9, 2001.

Heard in Committee. Speakers: none.

Continued to February 7, 2002.

CONTINUED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012126 [Appointment]

Hearing to consider appointing seven members to the City Non-Profit Contracting Task Force.

7 Seats Being Considered:

Vacant seat, new position, seat 1, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;

Vacant seat, new position, seat 2, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;

Vacant seat, new position, seat 3, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;

Vacant seat, new position, seat 4, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;

Vacant seat, new position, seat 5, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;

Vacant seat, new position, seat 6, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;

Vacant seat, new position, seat 7, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002.

11/29/01, RECEIVED AND ASSIGNED to Rules Committee.

12/20/01, CONTINUED. Heard in Committee. Speakers: Glen Washington; Sandy Mori; James Illig; Tiffany Mock-Goeman.

Continued to January 9, 2001.

Heard in Committee. Speakers: Nancy Rubin; Tony Michelini; Judith Stevenson speaking on behalf of Johnathan Vernick; Salvador Menjivar; John Kennedy, Deputy City Attorney.

Appointment of Nancy Rubin, seat 1, Tony Michelini, seat 2, Sandy Mori, seat 3, Johnathan Vernick (residency requirement waived), seat 4, James Illig, seat 5, Tiffany Mock-Goeman (residency requirement waived), seat 6, and Salvador Menjivar (residency requirement waived), seat 7, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Nancy Rubin, Tony Michelini, Sandy Mori, Johnathan Vernick, James Illig, Tiffany Mock-Goeman, and Salvador Menjivar, terms ending December 10, 2002, to the City Non-Profit Contracting Task Force, residency requirement waived.

Nancy Rubin, new position, seat 1, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Tony Michelini, new position, seat 2, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Sandy Mori, new position, seat 3, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Johnathan Vernick (residency requirement waived), new position, seat 4, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
James Illig, new position, seat 5, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Tiffany Mock-Goeman (residency requirement waived), new position, seat 6, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002;
Salvador Menjivar (residency requirement waived), new position, seat 7, must be representative of non-profit health, affordable housing development, and human service organizations, for a new one-year term ending December 10, 2002.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 5:15 p.m.

City Hall
1 Dr. Carlton B.
Goodlett Place
San Francisco, CA
94102-4689

City and County of San Francisco
Meeting Minutes
Rules Committee

Members: Supervisors Matt Gonzalez, Tony Hall and Tom Ammiano

Clerk: Victor Young

Thursday, January 17, 2002 | **1:00 PM** | **City Hall, Room 263**

Regular Meeting

Members Present: Matt Gonzalez, Tony Hall, Tom Ammiano.

Meeting Convened

The meeting convened at 1:01 p.m.

REGULAR AGENDA

012189 **[Appointment - James McCray, Jr.]**

Resolution confirming the appointment of James McCray, Jr. to the Board of Directors of the Municipal Transportation Agency to serve the remainder of the James Bourgart's term, ending March 1, 2002. (Mayor)

12/10/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney; James McCray, Jr.; Ulysess Montgomery; Robertta Boomer, Administrator, Municipal Transportation Agency.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

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011945 [Appointment]

Hearing to consider appointing five members to the Bicycle Advisory Committee.

5 Seat Being Considered:
Vacant seat, succeeding Steven Bodzin, seat 5, must represent bicycle organization, for the unexpired portion of a three-year term ending December 31, 2002;
Vacant seat, succeeding Renata Yang, seat 7, must be a bicyclist-at-large, for a new three-year term ending December 31, 2004;
Vacant seat, succeeding Douglas Hagan, seat 9, must be a bicyclist-at-large, for a new three-year term ending December 31, 2004;
Vacant seat, succeeding Jean Davis, seat 10, must be a bicyclist-at-large, for a new three-year term ending December 31, 2004;
Vacant seat, succeeding Pi Ra, seat 11, must be a bicyclist-at-large, for a new three-year term ending December 31, 2004.

10/23/01, RECEIVED AND ASSIGNED to Rules Committee.
1/10/02, CLERICAL CORRECTION to Rules Committee. Seats 7, 9, 10 and 11 added due to expiration of terms.

Heard in Committee. Speakers: Emily Drenen, Chairperson, Bicycle Advisory Committee; Ted Lakey, Deputy City Attorney; Douglas Hagan; Renata Yang; Pi Ra; Marc Salomon; David Dick; Scott Durcanin; Ques Holloway; Michael Spoon; Greg Hayes; Nino Parker.

Appointment of Marc Salomon, seat 5, Renata Yang, seat 7, Ques Holloway, seat 9, Jean Davis, seat 10, and David Dick, seat 11, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Marc Salomon, term ending December 31, 2002, and Renata Yang, Ques Holloway, Jean Davis, and David Dick, terms ending December 31, 2004, to the Bicycle Advisory Committee.

Marc Salomon, succeeding Steven Bodzin, seat 5, must represent bicycle organization, for the unexpired portion of a three-year term ending December 31, 2002;
Renata Yang, succeeding herself, seat 7, must be a bicyclist-at-large, for a new three-year term ending December 31, 2004;
Ques Holloway, succeeding Douglas Hagan, seat 9, must be a bicyclist-at-large, for a new three-year term ending December 31, 2004;
Jean Davis, succeeding herself, seat 10, must be a bicyclist-at-large, for a new three-year term ending December 31, 2004;
David Dick, succeeding Pi Ra, seat 11, must be a bicyclist-at-large, for a new three-year term ending December 31, 2004.

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

020014 [Appointment]

Resolution appointing Supervisor Tony Hall, term ending June 30, 2002, to the Peninsula Corridor Joint Powers Board.

Supervisor Tony Hall, succeeding Supervisor Sophie Maxwell, resigned, seat 1, must be member of the Board of Supervisors, for the unexpired portion of a two-year term expiring June 30, 2002.

1/7/02, RECEIVED AND ASSIGNED to Rules Committee.

TABLED by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

011826 [Appointment]

Hearing to consider appointing two members to the Citizens Advisory Committee on Elections.

2 Seats Being Considered:
Vacant Seat, new position, seat 5, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing);
Vacant Seat, new position, seat 6, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

10/4/01, RECEIVED AND ASSIGNED to Rules Committee.
10/4/01, CONTINUED TO CALL OF THE CHAIR. Divided from file 011603.

Heard in Committee. Speakers: Dennis Francis Lawlor; James Nakamura; Elnio Wedderburn; Patricia Calfee; Richard Ow; Odel Obgendin.

Seat 6 divided and continued to the call of the chair. See File No. 020111.

DIVIDED.

Hearing to consider appointing one member to the Citizens Advisory Committee on Elections.

1 Seats Being Considered:
Vacant Seat, new position, seat 5, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

Appointment of Patricia Calfee, seat 5, recommended.

PREPARED IN COMMITTEE AS A RESOLUTION.

Resolution appointing Patricia Calfee, term to be determined, to the Citizens Advisory Committee on Elections.

Patricia Calfee, new position, seat 5, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

RECOMMENDED.. by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

020111 [Appointment]

Hearing to consider appointing one member to the Citizens Advisory Committee on Elections.

1 Seat Being Considered:
Vacant Seat, new position, seat 6, must be a registered San Francisco voter with an interest and knowledge in the elections process, and show a commitment to fair and impartial elections, for a new four-year term (ending date to be determined via drawing).

Divided from File No. 011826.

CONTINUED TO CALL OF THE CHAIR by the following vote:
Ayes: 3 - Gonzalez, Hall, Ammiano

012129 [Deletion of San Francisco Elections Code Section 586]

Supervisors Gonzalez, Hall

Ordinance amending the San Francisco Elections Code by deleting Section 586, which requires the publication of a statement in the voter information pamphlet disclosing the name of each Supervisor who voted for and against submission of an argument by the Board of Supervisors for publication in the voter information pamphlet.

12/3/01, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/2/2002.

Heard in Committee. Speakers: Ted Lakey, Deputy City Attorney.

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012112 [Public Hearing by Finance Committee on Mayor's Budget Instructions]

Supervisor Peskin

Motion amending Rule 5.1 of the Rules of Order of the Board of Supervisors to require the Finance Committee to hold a public hearing on the Mayor's budget instructions to City Departments for each annual City budget after the instructions are released.

11/19/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Jordan Curly, speaking on behalf of Supervisor Aaron Peskin; Ted Lakey, Deputy City Attorney;

RECOMMENDED by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

012059 [Implementation of Proposition B]

Supervisor Leno

Hearing to discuss implementation of Proposition B, given the successful passage of the measure on November 6th, 2001.

11/13/01, RECEIVED AND ASSIGNED to Rules Committee.

Heard in Committee. Speakers: Nathan Purkiss, aide to Supervisor Mark Leno; Supervisor Mark Leno; Ed Smelloff; Peter O'Donnell, Department of the Environment; Jay Perrot; Brian Pollack; John Bardis; David Cook; Paul Fin; Craig Stevens; Bill Kelly; Tobby Barlow; Melissa Janisic.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Gonzalez, Hall, Ammiano

ADJOURNMENT

The meeting adjourned at 4:27 p.m.

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